

U.S. Department of Labor

**Office of the Assistant Secretary
for Administration and Management
Washington, D.C. 20210**



April 30, 2025

Sophie Feng
125 Broad Street, 18th Floor
New York, NY 10004

Re: Freedom of Information Act Request No. 2025-F-07081

Dear Sophie Feng:

This letter responds to your Freedom of Information Act (FOIA) request of February 07, 2025 in which you requested The ACLU seeks the release of records for the period beginning at noon Eastern Standard Time on January 20, 2025 – including but not limited to written communications (including emails, SMS messages, and messages sent on platforms including but not limited to iMessage, Slack, Microsoft Teams, WhatsApp, and Signal) and memoranda – concerning the following:

- (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.

Your request was received in our office on February 10, 2025, and assigned FOIA tracking number 2025-F-07081.

The records you are seeking are not in possession of the Office of the Assistant Secretary for Administration and Management (OASAM). Therefore, we are unable to process your request. It is possible that the records may be located at the Office of the Secretary (OSEC). If you have not already done so, you may wish to contact OSEC-FOIA@dol.gov directly.

If you have any questions regarding your request, please contact OASAM-FOIA@dol.gov. In addition, it would be helpful to include tracking number FOIA 2025-F-09150 on any submission or to have it available.

If you consider this an adverse determination, you have several options available to you. You may contact the Director, Office of Information Services and Acting Department's FOIA Public Liaison, Ramona Oliver at (202) 693-5391 or oliver.ramona@dol.gov for assistance resolving disputes. Alternatively, you may contact the Office of Government Information Services (OGIS), within the National Archives and Records Administration, to inquire about the 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

You can also reach that office by e-mail at ogis@nara.gov, by phone at 202-741-5770, or by calling toll-free 1-877-684-6448.

You have the right to file an administrative appeal. Your appeal must be received by the Solicitor of Labor within 90 calendar days of the date of this initial denial letter. Address your appeal to the following office:

Attn: Freedom of Information Act Appeal
Solicitor of Labor
U.S. Department of Labor
200 Constitution Avenue, NW
Room N-2420
Washington, D.C. 20210

Your appeal may also be sent by e-mail to FOIAAppeal@dol.gov or by fax to 202-693-5538. Appeals submitted to any other address will not be accepted. Your appeal must state in writing the grounds for the appeal. It should also include a copy of the original request, the response to your request, and any supporting statement or arguments. The

appeal letter, the envelope, and the e-mail subject line, should be clearly marked "Freedom of Information Act Appeal."

Sincerely,

Candy March
OASAM FOIA Coordinator