



UNITED STATES DEPARTMENT OF EDUCATION
OFFICE OF THE GENERAL COUNSEL

July 31, 2024

By Electronic Mail Only

Martha A. Astor
Defense of Freedom Institute for Policy Studies, Inc.
323 S. Washington
Suite 9
Titusville, FL 32780
Martha.Astor@dfipolicy.org

Re: *Def. of Freedom Inst. for Policy Studies v. Dep't of Education & OMB*
July 2024 Interim Release
Civil Action No.: 1:24-cv-00814
FOIA Request Nos.: 23-01128-F and 22-01850-F

Dear Ms. Astor:

This letter is the Department of Education's fourth interim response to the above-referenced requests for information pursuant to the Freedom of Information Act (FOIA), 5 U.S.C. § 552.

In accordance with the parties' Joint Status Report, filed on April 8, 2024, the Department has made decisions to release 783 pages responsive to these FOIA requests and a link to the records is included in the email accompanying this response. Certain information, however, has been withheld according to the FOIA exemption(s) specified below:

1. Records or portions of records relating to certain intra-agency information is exempt from disclosure pursuant to 5 U.S.C. § 552 (b)(5) of the FOIA. This exemption permits the withholding of inter- or intra-agency information that could be withheld under civil discovery (including information protected by the deliberative process privilege, attorney-client communication privilege, and attorney work product privilege); and
2. Records or portions of records relating to personal information are exempt pursuant to 5 U.S.C. § 552(b)(6) of the FOIA. Disclosure of this information would constitute a clearly unwarranted invasion of personal privacy.

Because this request is in litigation, if you have questions regarding this response, please contact Assistant U.S. Attorney L'Shauntee Robertson at Lshauntee.Robertson@usdoj.gov.

400 MARYLAND AVE. S.W., WASHINGTON, DC 20202-1100
www.ed.gov

The Department of Education's mission is to promote student achievement and preparation for global competitiveness by fostering educational excellence and ensuring equal access.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Lydia T. Makande', with a long horizontal flourish extending to the right.

Lydia T. Makande
General Attorney

cc: AUSA L'Shauntee Robertson