



United States Department of Education

Office of the Secretary

FOIA Service Center

August 16, 2024

Martha Astor
Associate Counsel
Defense of Freedom Institute
3835 Raney Rd
Titusville, FL 32780

RE: FOIA Request No. 24-00328-F

Dear Martha Astor:

This letter is a final response to your request for information pursuant to the Freedom of Information Act (FOIA), 5 U.S.C. § 552, dated November 3, 2023, and received in the U.S. Department of Education's (Department) FOIA Service Center on November 3, 2023.

You requested the following:

“ 1. All communications, including but not limited to electronic mail (“email”), email attachments, texts, letters, memoranda, calendar invitations, calendar entries, training materials, and other documentation between the Federal Student Aid (“FSA Custodians” infra) and the following individuals and organizations since January 20, 2021, through the date the search was conducted:

- a. Cynthia Jeffries
- b. John Weathers
- c. Brady Roberts
- d. Mike Franczak
- e. Wisdom Cole
- f. India Heckstall
- g. Kyra Taylor
- h. Scott Waterman
- i. Lane Thompson
- j. Amber Gallup
- k. State Attorney General Yael Shavit, Office of the Massachusetts Attorney General
- l. Josh Divine, Missouri Attorney General's Office
- m. Melissa Kunes
- n. J.D. LaRock
- o. Angelika Williams
- p. Susan Teerink
- q. Kathleen Dwyer

- r. Belen Gonzalez
- s. Sandra Boham
- t. Carol Peterson
- u. Scott Buchanan
- v. Benjamin Lee
- w. Ashley Pizzuti
- x. David Ramirez
- y. Sherrie Gammage
- z. Sarah Christa Butts
- aa. Richard Haase
- bb. Dr. Jalil Bishop
- cc. Jada Sanford
- dd. Jordan Nellums
- ee. Vincent Andrews
- ff. Jessica Ranucci
- gg. Ed Boltz
- hh. John Whitelaw
- ii. Waukecha Wilkerson
- jj. National Association for the Advancement of Colored People (NAACP)
- kk. Center for Law and Social Policy
- ll. National Consumer Law Center
- mm. Oregon Department of Consumer and Business Services - Division of Financial Regulation (DCBS)
- nn. New Mexico Higher Education Department
- oo. Student Loan Servicing Alliance
- pp. Ascendium Education Solutions, Inc.
- qq. Community Legal Aid Society, Inc. (CLASI)
- rr. New York Legal Assistance Group:
- ss. Law Offices of John T. Orcutt, P.C.

FSA Custodians

The search for records described in Item 1 should be limited to the following officials within the Office of Federal Student Aid:

1. Chief Operating Officer, Federal Student Aid
2. Principal Deputy Chief Operating Officer, Federal Student Aid
3. Deputy Chief Operating Officer, Federal Student Aid
4. Chief Enforcement Officer, Federal Student Aid
5. Chief of Staff, Federal Student Aid
6. Director, Office of Partner Participation and Oversight, Federal Student Aid
7. Any employee assigned to the Investigations Group, Partner Enforcement and Consumer Protection Directorate, Office of Partner Participation and Oversight, Federal Student Aid
8. Any FSA employees to the Borrower Defense Group, Partner Enforcement and Consumer Protection Directorate, Office of Partner Participation and Oversight, Federal Student Aid (Date Range for Record Search: From 1/20/2021 To 11/23/2023)”

On November 13, 2023, in response to the Department's clarification requesting email domains for the custodians listed in Element 1, you stated that "Though DFI is willing to fulfill a request for additional information where needed to complete a request, it notes that the Department of Education already possesses the requested information." Further, you indicated that "To facilitate prompt compliance with the statutory requirements of the Freedom of Information Act, an employee of the Department should locate the requested records by simply using the names identified in "element 1" as search terms."

Your request was forwarded to Federal Student Aid. After a thorough search, no responsive records were located.

Fees

There are no fees associated with processing this request. Therefore, any fee waiver request submitted for this FOIA request is not applicable.

Additional Assistance

You have the right to seek assistance and/or dispute resolution services from the Department's FOIA Public Liaison or the Office of Government Information Services (OGIS). The FOIA Public Liaison is responsible, among other duties, for assisting in the resolution of FOIA disputes. OGIS, which is outside the Department, offers ombuds services, including dispute resolution, to assist FOIA requesters and Federal agencies as a non-exclusive alternative to litigation. Please note, OGIS's assistance does not replace the administrative appeal process described below. You may contact the FOIA Public Liaison or OGIS at:

FOIA Public Liaison
Office of the Secretary
U.S. Department of Education
400 Maryland Ave., SW, LBJ 7W104
Washington, DC 20202-4500
Email: robert.wehausen@ed.gov
Phone: 202-205-0733
Fax: 202-401-0920

Office of Government Information Services
National Archives and Records Administration
8601 Adelphi Road, OGIS
College Park, MD 20740-6001
Email: OGIS@nara.gov
Phone: 202-741-5770 or 1-877-684-6448

You have the right to appeal this decision, as well as decisions in any previous interim releases, with the Department by submitting an appeal to the address below, no later than 90

calendar days from the date of this letter. Using the FOIA Public Liaison or OGIS services described above does not affect your right or the deadline to file an appeal. Your appeal must be in writing and must include a detailed statement of all legal and factual bases for the appeal. It should be accompanied by this letter, a copy of your initial letter of request, and any documentation that supports the argument you wish the Department to consider in making an administrative determination on your appeal. You may submit your appeal by:

Mail: Appeals Office
Office of the Secretary
U.S. Department of Education
400 Maryland Avenue, SW, LBJ 7W104
Washington, DC 20202-4536

Online Form: www.ed.gov/policy/gen/leg/foia/foia-appeal-form.pdf

Email: EDFOIAappeals@ed.gov

Fax: 202-401-0920

Sincerely,

Sandra Lewandowski
Government Information Specialist
Office of the Secretary