



**U.S. Department of Justice**

Civil Division

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*Washington, DC 20530*

Via Email

December 18, 2023

Mr. James Rogers  
Americas First Legal Foundation  
611 Pennsylvania Ave SE #231  
Washington, DC 20003  
[foia@aflegal.org](mailto:foia@aflegal.org)

Request No. 145-FOI-19313

Dear Mr. Rogers:

This is the response of the Civil Division, Department of Justice to your Freedom of Information Act (FOIA) request for: (1) communications or documents related to audits conducted by the Department of Labor's Employment and Training Administration's Office of Foreign Labor Certification (OFLC) of permanent labor certification program (PERM) applications for Microsoft Corporation; (2) communications with any current or former Microsoft about the aforementioned audits; (3) communications with any current or former Microsoft employees complaining about abuses or potential unlawful conduct by Microsoft in relation to obtaining labor certification; (4) charges filed with the Civil Rights Division's Immigrant and Employee Rights Section, which were filed by Microsoft applicants for employment; (5) records of communications to IER through its worker hotline, employer hotline, or email about Microsoft applicants or employees; and (6) internal communications related items 3 -5. We received your request on May 17, 2023, and assigned it control number 145-FOI-19313. Please refer to this number in any future correspondence with us about this request.

We searched the Civil Division's records, but we did not locate any record responsive to your FOIA request. Accordingly, we are closing your request.

For your information, Congress excluded three discrete categories of law enforcement and national security records from the requirements of the FOIA. *See* 5 U.S.C. § 552(c). This response is limited to those records that are subject to the requirements of the FOIA. This is a standard notification that we give to all our requesters. You should not take it as an indication that excluded records do, or do not, exist.

You may contact our FOIA Public Liaison at 202-514-2319 for any further assistance and to discuss any aspect of your request. 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,

Room 2510, 8601 Adelphi Road, College Park, Maryland 20740-6001, e-mail at [ogis@nara.gov](mailto:ogis@nara.gov); telephone at 202-741-5770; toll free at 1-877-684-6448; or facsimile at 202-741-5769.

If you are not satisfied with the Civil Division's response to this request, you may administratively appeal by writing to the Director, Office of Information Policy (OIP), United States Department of Justice, 441 G Street, NW, 6<sup>th</sup> Floor, Washington, DC 20530-0001, or you may submit an appeal through OIP's FOIA STAR portal by creating an account on the following website: <https://foiastar.doj.gov>. Your appeal must be postmarked or electronically transmitted within 90 days of the date of my response to your request. If you submit your appeal by mail, both the letter and the envelope should be clearly marked "Freedom of Information Act Appeal."

Sincerely,

/s/

Daniel Lim  
Office of Management Programs  
FOIA, E-Discovery, and Litigation Support  
Civil Division  
U.S. Department of Justice