



United States Department of Education

Office of the Secretary

FOIA Service Center

January 3, 2024

Will Scolinos
America 1st Legal
611 Pennsylvania Ave SE #231
Washington, DC 20003

RE: FOIA Request No. 24-00756-F

Fee Waiver Requested: Yes

Expedited Processing Requested: Yes

Dear Will Scolinos:

This is an acknowledgment of your request for information pursuant to the Freedom of Information Act (FOIA), 5 U.S.C. § 552, dated January 2, 2024, and received in the Department of Education's (Department) FOIA Service Center (FSC) on January 3, 2024. You requested the following:

"Pursuant to 5 U.S.C. § 552(a), AFL requests the following records for the period October 7, 2023, through the date of final processing for each item.

A. All records (including but not limited to emails, text messages, and messages sent through encrypted messaging applications) of communications sent to or from the custodians containing any one of the following phrases or words: "visa" or "student visa" AND "FTO," "Hamas," or "foreign terrorist organization."

B. All records (including but not limited to emails, text messages, and messages sent through encrypted messaging applications) of communications sent to or from the custodians containing any one of the following phrases or words: "MIT," "UPenn," "Penn," "Harvard," "Columbia," "Stanford," "Cooper Union," "campus," OR "university" AND any of the terms "protest," "demonstration," "Jew," "Palestine," "Israel," "Hamas" OR "safety."

C. All records (including but not limited to emails, text messages, and messages sent through encrypted messaging applications) of communications sent to or from the custodians containing any one of the following phrases or words: "MIT," "UPenn," "Penn," "Harvard," "Columbia," "Stanford," "Cooper Union," "campus," OR "university" AND the term "visa."

D. All records (including but not limited to emails, text messages, and messages sent through encrypted messaging applications) of communications sent to or from the custodians containing any one of the following phrases or words in either the text of the record or as part the address for a sender or receiver: "mit.edu," "upenn.edu," "cooper.edu," "harvard.edu," "stanford.edu," and "columbia.edu."

E. All records (including but not limited to emails, text messages, and messages sent through encrypted messaging applications) of communications sent to or from the custodians containing any one of the following phrases or words: "Hamas," "CAIR," "Students for Justice in

Palestine,” Jewish Voice for Peace,” “J Street,” “By Any Means Necessary,” “Within Our Lifetime,” “Council of Muslim Organizations,” “Democratic Socialists of America,” “Islamic Circle of North America (ICNA),” “ICNA Relief,” “Islamic Relief Worldwide,” “Dar Al-Hijrah mosque,” “Nejwa Ali,” “Palestinian Youth Movement,” ”ANSWER,” ”Al-Awda,” “ Zakat Foundation,” “American Muslims for Palestine,” “Alliance for Global Justice,” “Palestine Legal,” “Tides Foundation,” “National Lawyers Guild,” or “Samidoun.”

F. All records regarding or of the Department’s response to the letter from Sen. Marco Rubio to Secretary Mayorkas dated October 17, 2023, and referenced at <https://www.rubio.senate.gov/rubio-colleagues-urge-removal-of-hamas-and-terrorist-supporters/>.

II. Custodians

- A. Maureen McLaughlin
- B. Donna Harris-Aikens
- C. Tracey St. Pierre
- D. Scott Sargrad
- E. Sharon Cooke
- F. Shannon Myricks”

Please review the Additional Information section below to learn if we need additional clarification and/or documentation in order to continue processing your request. **If no additional information is needed, nothing more is required from you at this time.** If we do require supplemental information, you have ten business days to respond. If you do not respond within this time frame, we will administratively close your case. An administrative closure is not a denial of your request and does not preclude you from making requests in the future.

Please be advised that the current average request processing time is 185 business days. If you have any questions, please contact the FSC at 202-401-8365 or EDFOIAManager@ed.gov. You may also check the status of your request at <https://foiexpress.pal.ed.gov/app/CheckStatus.aspx>.

Additional Information

No additional information is needed at this time. However, we will contact you if, in the future, any additional information is needed in order to complete our search for documents.

Fees and Expedited Processing

There are currently no fees associated with this request. If we determine that a fee assessment is necessary, we will provide you with a fee estimate and the status of your requester category. If you requested a fee waiver and we determine a fee assessment is necessary, we will include our determination along with the fee estimate.

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

If expedited processing and/or a fee waiver was requested and denied, you have the right to appeal the Department's decision 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

E-mail: EDFOIAappeals@ed.gov

Fax: 202-401-0920

Sincerely,

ED FOIA Service Center
Office of the Secretary