

DEPARTMENT OF DEFENSE EDUCATION ACTIVITY HEADQUARTERS

4800 MARK CENTER DRIVE ALEXANDRIA, VA 22350-1400

JUL 0 7 2021

Freedom of Information Office

Gene P. Hamilton America First Legal Foundation 600 14th Street NW, 5th Floor Washington, D.C. 20005

Dear Gene Hamilton:

This is in response to your Freedom of Information Act (FOIA) request dated May 21, 2021, requesting "A. All records, including, but not limited to, electronic mail, texts, memoranda, and handwritten notes, of, regarding, referring, or relating to the content and meaning of the words and/or terms "extremism", "extremist", "extremist groups", "extremist activity", "extremist activities", "extremist material and content", "social media forums and platforms", "actionable information" and "concerning behaviors" as those words and/or terms are used in the Secretary's Memo. B. All records, including, but not limited to, electronic mail, texts, memoranda, and handwritten notes, of, regarding, referring, or relating to any contracts, policies, or plans to monitor or survey the social media accounts of uniformed servicemembers, contractors, and/or civilian employees, or any pilot programs, working groups, or Steering Committees developed, formed, or tasked with the same. The timeframe for this request is January 20, 2021 to the date of production of the requested documents. C. All records, including, but not limited to, electronic mail, texts, memoranda, and handwritten notes, of, regarding, referring, or relating to any contracts, policies, or plans to monitor or survey the social media accounts of uniformed servicemembers, or any pilot programs, working groups, or Steering Committees developed, formed, or tasked with the same, from, to, or in the possession of each of the following DOD components:

- 1. Office of the Secretary
- 2. Office of the Deputy Secretary
- 3. Office of the Joint Chiefs of Staff
- 4. Office of Policy
- 5. Office of Personnel and Readiness
- 6. Office of Acquisition & Sustainment
- 7. Office of Intelligence & Security
- 8. Office of Strategy and Force Development
- 9. Department of Defense Education Activity
- 10. Office of the Assistant Secretary of Defense for Homeland Defense and Global Security
- 11. Office of Homeland Defense Integration and Defense Support of Civil Authorities
- 12. Office of Public Affairs

The timeframe for this request is January 20, 2021, to date of production of the requested records.

- D. All records, including, but not limited to, electronic mail, texts, memoranda, and handwritten notes, of, regarding, referring, or relating to: (a) any contracts, policies, or plans to monitor or survey the social media accounts of uniformed servicemembers, contractors, or civilian employees, or (b) any pilot programs, working groups, or Steering Committees developed, formed, or tasked with the same, or (c) containing the words or terms "extremism", "extremist", "social media", "actionable" and "concerning", "Trump", "Republicans", "Christian", "conservative", "White House", or "Congress" from, to, or in the possession of each of the following custodians:
- 1. Lloyd J. Austin III, Secretary of Defense;
- 2. Kathleen Hicks, Deputy Secretary of Defense;
- 3. Thomas Brady, Director Department of Defense Education Activity;
- 4. Julie Blanks, Executive Director, Office of the Under Secretary of Defense for Personnel and Readiness:
- 5. Eric Ridge, Deputy Assistant Secretary of Defense for Strategy and Force and Development
- 6. Jennifer Walsh, Office of the Assistant Secretary of Defense for Homeland Defense and Global Security;
- 7. Robert G. Salesses, Deputy Assistant Secretary of Defense for Homeland Defense Integration and Defense Support of Civil Authorities;
- 8. Heather King, Deputy Assistant Secretary of Defense for Homeland Defense Integration and Defense Support of Civil Authorities;
- 9. Steven L. Schleien, Office of the Under Secretary of Defense (Policy);
- 10. Kelly E. Magsamen, Chief of Staff to the Secretary of Defense;
- 11. Farooq A. Mitha, Office of Small Business Programs;
- 12. Colin H. Kahl, Under Secretary of Defense for Policy;
- 13. John F. Kirby, Assistant to the Secretary of Defense for Public Affairs;
- 14. Bishop Garrison

E. All records, including, but not limited to electronic mail, texts, memoranda, and handwritten notes, of, regarding, referring, or relating to the continuous monitoring or surveillance of any military personnel for "extremist material" or "extremism." The timeframe for this request is January 20, 2021, to date of production of the requested records. F. All records, including, but not limited to electronic mail, texts, memoranda, and handwritten notes, of, regarding, referring, or relating to the definition of or activities that would constitute "concerning behavior" or "concerning behaviors" in the context of social media activity. The timeframe for this request is January 20, 2021, to date of production of the requested records. G. All records, including, but not limited to electronic mail, texts, memoranda, and handwritten notes, of, regarding, referring, or relating to "keywords" that may or will be used in "accessions and continuous vetting for national security positions" and "social media screening platforms" and "user activity monitoring" as those terms are used in the Secretary's Memo. The timeframe for this request is January 20, 2021, to date of production of the requested records."

Your request was assigned FOIA case number 21-F-00073. A search was conducted by the Department of Defense Education Activity Freedom of Information Act Requestor Office. There are no records responsive to your request.

Because your request has been denied, you have the right to seek dispute resolution service from the OSD FOIA Public Liaison, Ms. Toni Fuentes at 571-372-0462, email at OSD.FOIALiaison@mail.mil. Additionally, you may contact the Office of Government Information Services (OGIS) to inquire about the FOIA mediation services they offer. The contact information for OGIS is: Office of Government Information Services, National Archives and Records Administration, 8601 Adelphi Road-OGIS, College Park, Maryland 20740-6001, e-mail at ogis@nara.gov; telephone at 202-741-5770; toll free at 1-877-684-6448; or facsimile at 202-741-5769 for any further assistance and to discuss any aspect of your request.

Also, if you are not satisfied with this response, you have the right to appeal this determination to the appellate authority, the Director for Oversight and Compliance. In your appeal, you should state the basis for your disagreement with the denial and you should state the justification for its release. Please note that your appeal should address information denied in this response and cannot be used to make a new request for additional or new information. Your appeal should be addressed and sent to ODCMO Directorate for Oversight and Compliance, 4800 Mark Center Drive, ATTN: DPCLTD, FOIA Appeals, Mailbox# 24, Alexandria, VA 22350-1700. Your appeal should be postmarked within 90 calendar days of the date of this response. Your appeal should cite the case number 21-F-00073 and should be clearly marked "Freedom of Information Act Appeal." Please enclose a copy of this letter along with your appeal.

The cost of processing this request was minimal therefore, you are not being charged. If you have any questions regarding the FOIA process, you may contact Ms. Rachel Swann at (571) 372-1890.

Sincerely,

ames W. Revell

Chief, Executive Services Division