



UNITED STATES DEPARTMENT OF EDUCATION
OFFICE OF INSPECTOR GENERAL

February 1, 2022

VIA EMAIL

Gene Hamilton
600 14th St. NW
5th Floor
Washington, DC 20005
foia@aflegal.org

RE: FOIA Request No. 21-01761-F

Dear Mr. Hamilton:

This is an interim response from the Office of Inspector General (OIG) to your May 28, 2021, Freedom of Information Act (FOIA) request to the United States Department of Education (ED). Your request asked for records relating to the implementation of Executive Order 13985, antiracist therapy, equity, and communication with certain non-governmental groups starting January 20, 2021. On July 11, 2021, Mr. Block clarified your request and limited the responsive records to certain custodians and search terms including "Executive Order 13985", "Antiracist Therapy", "Racial Equity", "Historical Racism", "Institutional Racism", "Systemic Racism", "Structural Racism", "Advancing Equity", "Institutional Equity/Inequity", "Systemic Inequity", "Structural Inequity", and "Critical Race Theory."

We were further notified of your January 6, 2022, agreement to exclude all media news blasts from the scope of the FOIA request.

We have identified and enclosed 145 pages of documents responsive to your request. Information has been redacted pursuant to Exemption (b)(6) of the FOIA. Exemption (b)(6) of the FOIA protects personal privacy interests. The information withheld under Exemption (b)(6) includes individual names, addresses, telephone numbers, and other personally identifying information.

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) (2006 & Supp. IV 2010). This response is limited to those records that are subject to the requirements of the FOIA. This is a standard notification that is given to all our requesters and should not be taken as an indication that excluded records do, or do not, exist.

If you are not satisfied with my action on your request, then you may file an administrative appeal regarding that item only by writing within 90 calendar days of the date of this letter to the:

Inspector General
U.S. Department of Education
400 Maryland Avenue, S.W.
ATTN: FOIA Appeals
Washington, DC 20202-1500

400 MARYLAND AVENUE, S.W., WASHINGTON, DC 20202-1510

Promoting the efficiency, effectiveness, and integrity of the Department's programs and operations.

A copy of your initial request, a copy of this letter and your statement of circumstances, reasons, and arguments should accompany your appeal letter. An appeal may be submitted via email to OIGFOIA@ed.gov. Due to mail delays, email submission is preferred. Please include “FOIA Appeal” and your request number in the subject line.

You also have the right to seek assistance and/or dispute resolution services from our OIG FOIA Public Liaison or from the Office of Government Information Services (OGIS). The OIG FOIA Public Liaison is responsible, among other duties, for assisting in the resolution of FOIA disputes. OGIS, which is outside the Department of Education, offers mediation services to resolve disputes between FOIA requesters and Federal agencies as a non-exclusive alternative to appeals or litigation.

You may contact the OIG FOIA Public Liaison or OGIS as follows:

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| Mail | Carla McKenzie OIG FOIA Public Liaison Office of the Inspector General U.S. Department of Education 400 Maryland Ave., SW Washington, DC 20202-1500 | Office of Government Information Services National Archives and Records Administration 8601 Adelphi Road Room 2510 College Park, MD 20740-6001 |
| E-mail | carla.mckenzie@ed.gov | OGIS@nara.gov |
| Phone | 215-656-6027 | 301-837-1996; toll free at 1-877-684-6448 |
| Fax | 202-245-7039 | 301-837-0348 |

Seeking assistance from the OIG FOIA Public Liaison or OGIS does not affect your right, or the deadline, to pursue an appeal.

Sincerely,

Antigone Potamianos
Counsel to the Inspector General

cc: FOIA Service Center