



## SOCIAL SECURITY

Refer to:  
S9H: SSA-2022-011055

January 31, 2023

Mr. Michael Ding  
611 Pennsylvania Ave SE #231  
Washington, DC 20003  
[michael.ding@aflegal.org](mailto:michael.ding@aflegal.org)

Dear Mr. Ding:

This letter is in response to your June 10, 2022 Freedom of Information Act (FOIA) request for a copy of the Social Security Administration's strategic plan on "Promoting Access to Voting" that was required by section 3(b) of Executive Order 14019 (March 7, 2021), to be submitted to the Assistant to the President for Domestic Policy by September 23, 2021.

I am withholding the responsive document (10 pages) in its entirety based on the FOIA Exemption 5 that protects the deliberative process, as the document was generated as part of a continuing process of agency decision-making and inter-agency collaboration. The FOIA Exemption 5 protects advice, opinions, recommendations, predecisional discussion, and evaluative remarks that are part of the government decision-making process. Release of such predecisional advisory communications would harm the quality of agency decision-making and the policy of encouraging frank, open discussion among agency personnel before making a decision (5 U.S.C. §552(b)(5)).

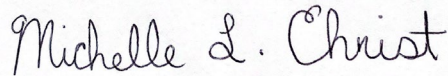
The general purposes of the deliberative process privilege are to prevent injury to the quality of agency decisions and to protect government agencies' decision-making processes. The deliberative process privilege allows agencies to freely explore alternative avenues of action and to engage in internal debates without fear of public scrutiny (*Missouri ex rel. Shorr v. United States Army Corps of Engineers*, 147 F.3d 708, 710 (8th Cir. 1998)). See also *Elec. Frontier Found. v. DOJ*, 739 F.3d 1, 7 (D.C. Cir. 2014) (protecting documents that "compris[e] part of a process by which governmental decisions and policies are formulated") (quoting *Public Citizen v. OMB*, 598 F.3d 865, 875 (D.C. Cir. 2010)). Exemption 5 protects not merely documents, but also the integrity of the deliberative process itself, where the exposure of that process could result in harm. Exemption 5 also covers inter-agency documents. See 5 U.S.C. § 552(b)(5). We believe that disclosure of the information at issue could cause foreseeable harm to the agency's decision-making processes.

If you have questions or would like further assistance with your request, you may contact our FOIA Public Liaison by email at [FOIA.Public.Liaison@ssa.gov](mailto:FOIA.Public.Liaison@ssa.gov); by phone at 410-965-1727, choosing Option 2; or facsimile at 410-966-0869.

You may also contact the Office of Government Information Services (OGIS) at the National Archives and Records Administration for dispute resolution services. OGIS is an entity outside of SSA that offers mediation services to resolve disputes between FOIA requesters and Federal agencies. The contact information for OGIS is as follows: Office of Government Information Services, National Archives and Records Administration, 8601 Adelphi Road – OGIS, College Park, MD 20740-6001; email 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 disagree with this decision, you may file a written appeal with the Executive Director for the Office of Privacy and Disclosure, Social Security Administration, G-401 WHR, 6401 Security Boulevard, Baltimore, MD 21235. Your appeal must be postmarked or electronically transmitted to [FOIA.Public.Liaison@ssa.gov](mailto:FOIA.Public.Liaison@ssa.gov) within 90 days from the date of our response to your initial request. Please mark the envelope or subject line with “Freedom of Information Appeal.”

Sincerely,

A handwritten signature in black ink that reads "Michelle L. Christ". The signature is written in a cursive, flowing style.

Michelle L. Christ  
Acting Freedom of Information Officer