

March 3, 2025

VIA Electronic Delivery

Office of Management and Budget FOIA Officer 725 17th Street NW, Room 9272 Washington, DC 20503 Via X.com message

U.S. DOGE (or Digital) Service 736 Jackson Pl NW Washington, DC 20503 Via X.com message

Re: Freedom of Information Action Request

Dear FOIA Officer:

Pursuant to the Freedom of Information Act ("FOIA"), 5 U.S.C. §§ 552, Democracy Forward Foundation submits this request for records.

Records Requested

Democracy Forward Foundation ("DFF") requests that the Office of Management and Budget ("OMB") and its component U.S. DOGE (or Digital) Service ("USDS") produce the following within twenty (20) business days:

All electronic communications (including emails, email attachments, complete email chains, calendar invitations, calendar invitation attachments, text messages, or messages on messaging platforms, including Slack and Microsoft Teams) sent or received by the government employees listed below (A) containing any of the following key terms (B).

A. Government employees

- 1. Christopher Stanley
- 2. Stephen Duarte
- 3. Christina Hanna
- 4. Greg Hogan
- 5. Bryanne-Michelle Mlodzianowski
- 6. Kyle Schutt

- 7. Ethan Shaotran
- 8. Jordan Wick
- 9. Anthony Armstrong
- 10. Brian Bjelde
- 11. Nate Cavanaugh
- 12. Steve Davis
- 13. Marko Elez
- 14. Luke Farritor
- 15. Gautier "Cole" Killian
- 16. Ed Coristine
- 17. Alexandra Beynon
- 18. Gavin Kliger
- 19. Akash Bobba
- 20. Nikhil Rajpal
- 21. Thomas Shedd
- 22. Ricardo Biasini
- B. Key terms
 - 1. "Large language model"
 - 2. LLM
 - 3. "Machine learning"
 - 4. "Natural language processing"
 - 5. NLP
 - 6. surveil
 - 7. surveillance
 - 8. "AI-driven system"
 - 9. "AI-driven strategy"
 - 10. "AI-driven strategies"
 - 11. ADS
 - 12. "Automated decision-making technology"
 - 13. ADMT
 - 14. "Automated process"
 - 15. "Automated processes"
 - 16. "Automated processing"
 - 17. "Neural network"
 - 18. "Machine learning"
 - 19. Chatbot
 - 20. Grok
 - 21. xAI
 - 22. ChatGPT
 - 23. Gemini

- 24. "Generative AI"
- 25. Azure
- 26. Watson
- 27. AutoRIF
- 28. "Automated Reduction in Force"
- 29. "Automated Reduction-in-Force"
- 30. "Department of Government Efficiency AI Assistant"

This request seeks records from January 20, 2025 until the date of the search.

Request for Fee Waiver

Pursuant to 5 U.S.C. § 552(a)(4)(A)(iii) and 39 C.F.R. § 265.9, DFF requests a waiver of all fees associated with processing records for this request. FOIA requires documents to be furnished to requesters at no fee or reduced fees "if disclosure of the information is in the public interest because it is likely to contribute significantly to public understanding of the operations or activities of the government and is not primarily in the commercial interest of the requester." 5 U.S.C. § 552(a)(4)(A).

In determining whether a fee waiver is appropriate, courts consider whether a requester has a "demonstrated . . . ability to disseminate the requested information," Cause of Action v. F.T.C., 799 F.3d 1108, 1116-17 (D.C. Cir. 2015), and whether the requester regularly disseminates records obtained through FOIA to "a reasonably broad audience of persons interested in the subject" of its work. Carney v. U.S. Dep't of Justice, 19 F.3d 807, 814-15 (2d Cir. 1994). FOIA does not require a requester to describe exactly how it intends to disseminate the information requested, as that would require "pointless specificity"; all that is necessary is for a requester to adequately demonstrate its "ability to publicize disclosed information." Judicial Watch, Inc. v. Rossotti, 326 F.3d 1309, 1314 (D.C. Cir. 2003). In evaluating a fee waiver request, courts consider how a requester actually communicates information collected through FOIA to the public, including press releases or a website where documents received are made available, see id., or whether the requester has a history of "contacts with any major news[] companies" that suggest an ability to disseminate materials of interest through the press. Larson v. C.I.A., 843 F.2d 1481, 1483 (D.C. Cir. 1988) (upholding a denial of a fee waiver to a requester who had failed to identify his relationships with newspaper companies that could disseminate documents).

The requested waiver is in the public interest because providing the copy of the information sought primarily benefits the general public. Democracy Forward has a demonstrated ability to disseminate information of public interest requested through freedom of information statutes, and, based upon responses to this request, may assist in publicizing records received to contribute to the public's understanding of the use of novel technological tools for government

personnel matters, as significant questions abound concerning their reliability. Indeed, records received by Democracy Forward have previously formed the basis of news reports.¹

Democracy Forward is not filing this request to further any commercial interest, and any information obtained by Democracy Forward as a result of this request and disclosed will be disclosed at no cost.

If the request for a waiver is denied, we are willing to pay all reasonable fees incurred for searching and duplicating records in responding to this request, up to \$50. If the costs of

https://www.newsweek.com/ryan-zinke-interior-department-helicopters-wildfires-757857.

¹ See, e.g., Alexander Nazaryan, *Why did right-wing troll Charles C. Johnson meet with Commerce Secretary Wilbur Ross?*, Yahoo News (May 14, 2019),

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responding to this request should exceed that amount, please contact us before incurring costs exceeding that amount.

Conclusion

If you need clarification as to the scope of the request, have any questions, or foresee any obstacles to releasing fully the requested records within 20 business days, please contact me as soon as possible at <u>foia@democracyforward.org</u>.

We appreciate your assistance and look forward to your prompt response.

Sincerely,

<u>/s/ Skye Perryman</u> Skye Perryman President & CEO Democracy Forward Foundation P.O. Box 34553 Washington, D.C. 20043



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Department of Education Office of the Secretary 400 Maryland Ave., SW, LBJ 7W104 Washington, DC 20202-4500 Attn: FOIA Service Center EDFOIAManager@ed.gov

Department of the Treasury FOIA Request Washington, DC 20220 FOIA@treasury.gov

Department of State The Secretary's Open Forum S/OF, Rm. 5312A 2201 C St NW. Washington, DC 20520 Via online portal

U.S. Agency for International Development M/MS/IRD, Suite 2.4.0A, USAID Annex 1300 Pennsylvania Avenue, NW Washington, DC 20523-2701 Via online portal

General Services Administration FOIA Requester Service Center (LG) 1800 F Street, NW, 7308 Washington, DC 20405-0001 Via online portal

Office of Personnel Management 1900 E Street, N.W. OPIM/FOIA Room 5H35 Washington, D.C. 20415-7900* foia@opm.gov

Department of Defense Office of the Secretary of Defense 1000 Defense Pentagon, Washington, DC 20301-1000 Via online portal

Re: Freedom of Information Action Request

Dear FOIA Officer:

Pursuant to the Freedom of Information Act ("FOIA"), 5 U.S.C. §§ 552, Democracy Forward Foundation submits this request for records.

DF-MULTI-25-0387-0395

Records Requested

Democracy Forward Foundation ("DFF") requests that your agency produce the following within twenty (20) business days:

All outputs, recommendations, or reports generated by generative artificial intelligence tools used for personnel matters (including, but not limited to, determining who to hire and fire, assessing the productivity or the ideological or partisan opinions of federal employees, investigating who has spoken or might be likely to speak to the media about government work, or surveilling employees).

This request seeks records from January 20, 2025 until the date of the search.

Request for Fee Waiver

Pursuant to 5 U.S.C. § 552(a)(4)(A)(iii) and 39 C.F.R. § 265.9, DFF requests a waiver of all fees associated with processing records for this request. FOIA requires documents to be furnished to requesters at no fee or reduced fees "if disclosure of the information is in the public interest because it is likely to contribute significantly to public understanding of the operations or activities of the government and is not primarily in the commercial interest of the requester." 5 U.S.C. § 552(a)(4)(A).

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The requested waiver is in the public interest because providing the copy of the information sought primarily benefits the general public. Democracy Forward has a demonstrated ability to

disseminate information of public interest requested through freedom of information statutes, and, based upon responses to this request, may assist in publicizing records received to contribute to the public's understanding of the use of novel technological tools for government personnel matters, as significant questions abound concerning their reliability. Indeed, records received by Democracy Forward have previously formed the basis of news reports.¹

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If the request for a waiver is denied, we are willing to pay all reasonable fees incurred for searching and duplicating records in responding to this request, up to \$50. If the costs of responding to this request should exceed that amount, please contact us before incurring costs exceeding that amount.

Conclusion

If you need clarification as to the scope of the request, have any questions, or foresee any obstacles to releasing fully the requested records within 20 business days, please contact me as soon as possible at <u>foia@democracyforward.org</u>.

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Department of Defense Office of the Secretary of Defense 1000 Defense Pentagon, Washington, DC 20301-1000 Via online portal

Re: Freedom of Information Action Request

Dear FOIA Officer:

Pursuant to the Freedom of Information Act ("FOIA"), 5 U.S.C. §§ 552, Democracy Forward

DF-MULTI-25-0378-0386

Foundation submits this request for records.

Records Requested

Democracy Forward Foundation ("DFF") requests that your agency produce the following within twenty (20) business days:

- 1. All validation studies and privacy impact assessments related to the use of automated systems or generative artificial intelligence for personnel matters (including, but not limited to, determining who to hire and fire, assessing the productivity or the ideological or partisan opinions of federal employees, investigating who has spoken or might be likely to speak to the media about government work, or surveilling employees).
- 2. All final guidance, memoranda, or directives created by your agency related to the usage of automated systems or generative artificial intelligence for personnel matters (including, but not limited to, determining who to hire and fire, assessing the productivity or the ideological or partisan opinions of federal employees, investigating who has spoken or might be likely to speak to the media about government work, or surveilling employees).
- 3. All source code, training materials, or parameters given to or used by automated systems or generative artificial intelligence tools used for personnel matters (including, but not limited to, determining who to hire and fire, assessing the productivity or the ideological or partisan opinions of federal employees, investigating who has spoken or might be likely to speak to the media about government work, or surveilling employees).
- 4. All searches, instructions, queries, or inputs into automated systems or generative artificial intelligence tools used for personnel matters (including, but not limited to, determining who to hire and fire, assessing the productivity or the ideological or partisan opinions of federal employees, investigating who has spoken or might be likely to speak to the media about government work, or surveilling employees).

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