



October 21, 2025

VIA Electronic Delivery

National Capital Planning Commission
Meghan Hottel-Cox, Chief FOIA Officer
401 9th Street, NW
North Lobby, Suite 500
Washington, DC 20004

Re: Freedom of Information Act 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 National Capital Planning Commission ("NCPC") produce the following within twenty (20) business days:

1. All electronic communications (including email messages, complete email chains, calendar invitations, or attachments thereto, as well as any text messages or messages sent on messaging platforms such as Microsoft Teams, Skype, WhatsApp, Signal, or GChat) **sent or received** by any of the officials listed below containing any of the following terms.
 - a. Officials:
 - i. Will Scharf, Chair
 - ii. James Blair, Vice-Chair
 - iii. Stuart Levenbach, Commissioner
 - b. Key terms:
 - i. Ballroom
 - ii. "Ball Room"
 - iii. "East Wing"
 - iv. Clark
 - v. ACECO
 - vi. AECOM
 - vii. Jacobs
 - viii. "McCrery Architects"

Please note that Democracy Forward Foundation does not seek the initial mailing of news clips or other mass-distribution emails. However, subsequent communications responding to or forwarding such emails are responsive to this request. For example, if a specific individual received a mass-distribution news clip email containing the term “Ballroom” that initial email would not be responsive to this request. However, if that specific individual forwarded that email to another individual with his own commentary, that subsequent message would be responsive to this request and should be produced.

2. All federal contracts in possession of NCPC between any federal agency and the following companies listed below related to the construction, demolition, or design of the White House Ballroom. This includes agreements, modifications, and task awards.
 - a. Companies
 - i. Clark Construction
 - ii. ACECO
 - iii. AECOM
 - iv. Jacobs
 - v. McCrery Architects
3. All legal memoranda and analysis documents evaluating NCPC’s role in reviewing or advising the construction, demolition or design of the White House Ballroom.
4. All memoranda, guidance documents, and communications sent to the White House providing NCPC’s opinions on historic preservation issues regarding the White House Ballroom project and the commission’s jurisdiction in the project.
5. All solicitations and bidding documents received by NCPC for the construction, demolition, or design of the White House Ballroom.

This request seeks records from June 1, 2025 until the date of the search.

Scope of Search

FOIA requires agencies to disclose information, with only limited exceptions for information that would harm an interest protected by a specific exemption or where disclosure is prohibited by law. 5 U.S.C. § 552(a)(8)(A). In the event that any of the requested documents cannot be disclosed in their entirety, we request that you release any material that can be reasonably segregated. *See* 5 U.S.C. § 552(b). Should any documents or portions of documents be withheld, we further request that you state with specificity the description of the document to be withheld and the legal and factual grounds for withholding any documents or portions thereof in an index, as required by *Vaughn v. Rosen*, 484 F.2d 820 (D.C. Cir. 1973). Should any document include

both disclosable and non-disclosable material that cannot reasonably be segregated, we request that you describe what proportion of the information in a document is non-disclosable and how that information is dispersed throughout the document. *Mead Data Cent., Inc. v. U.S. Dep't of Air Force*, 566 F.2d 242, 261 (D.C. Cir. 1977).

If requested records are located in, or originated in, another agency, department, office, installation or bureau, please refer this request or any relevant portion of this request to the appropriate entity.

To the extent that the records are readily reproducible in an electronic format, we would prefer to receive the records in that format. However, if certain records are not available in that format, we are willing to accept the best available copy of each such record.

Please respond to this request in writing within 20 working days as required under 5 U.S.C. § 552(a)(6)(A)(i). If all of the requested documents are not available within that time period, we request that you provide us with all requested documents or portions of documents that are available within that time period. If all relevant records are not produced within that time period, we are entitled to a waiver of fees for searching and duplicating records under 5 U.S.C. § 552(a)(4)(A)(viii)(I).

Request for Fee Waiver

Pursuant to 5 U.S.C. § 552(a)(4)(A)(iii) and your agency's regulations, 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. DFF 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 government's pursuit of significant changes to the White House complex and consideration of historic preservation issues, especially in light of the recent demolition of the East Wing despite earlier statements that construction would not interfere the existing building.¹ Indeed, records received by Democracy Forward Foundation have previously formed the basis of news reports.²

¹ Jonathan Edwards and Dan Diamond, *White House begins demolishing East Wing facade to build Trump's ballroom*, The Washington Post (Oct. 20, 2025), <https://www.washingtonpost.com/politics/2025/10/20/white-house-begins-demolishing-east-wing-facade-build-trump-ballroom/>

² See, e.g., Alexander Nazaryan, *Why did right-wing troll Charles C. Johnson meet with Commerce Secretary Wilbur Ross?*, Yahoo News (May 14, 2019), <https://news.yahoo.com/why-did-rightwing-troll-charles-c-johnson-want-to-meet-with-commerce-secretary-wilbur-ross-090000636.html>; Derek Kravitz and Jack Gillum, *"Happy to Do It": Emails Show Current FAA Chief Coordinated With Ex-Lobbyist Colleagues on Policy*, ProPublica (Mar. 27, 2019), <https://www.propublica.org/article/dan-elwell-current-faa-chief-coordinated-with-ex-lobbyist-colleagues-on-policy>; Hamid Aleaziz, *Emails Show US Border Officials Didn't Receive "Zero Tolerance" Guidance Until After the Policy Was Enacted*, BuzzFeed News (Feb. 28, 2019), <https://www.buzzfeednews.com/article/hamedaleaziz/zero-tolerance-policy-guidance-dhs-family-separation>; Jonathan Cohn and Jeffrey Young, *Emails Show Trump Administration Was Told Obamacare Ad Cuts Could Hurt Enrollment*, HuffPost (Dec. 17, 2018), https://www.huffingtonpost.com/entry/trump-verma-obamacare-advertising-cut_us_5c115061e4b084b082ff8dba; Madison Pauly, *When the Biggest Prison Company Complained About a California Sanctuary Law, ICE Listened*, Mother Jones (Dec. 7, 2018), <https://www.motherjones.com/politics/2018/12/geo-memo-private-prison-california-immigration/>; Eliza Rellman, *'Just answer the question and kill this story': In internal emails, Heather Nauert criticized Rex Tillerson's refusal to deny reports that he called Trump a 'moron.'* Business Insider (Nov. 2, 2018), <https://www.businessinsider.com/heather-nauert-rex-tillerson-trump-moron-2018-11>; Rebecca Klein, *Lawsuit Accuses Betsy DeVos And Her Deputies Of Being Motivated By Sexism*, HuffPost (Oct. 31, 2018), https://m.huffpost.com/us/entry/us_5bd9ff6ee4b01abe6a1ad4a9; Nick Penzenstadler, *A year after Vegas shooting, ATF emails reveal blame, alarm over bump stocks*, USA Today (Oct. 1, 2018), <https://www.usatoday.com/story/news/2018/10/01/year-after-vegas-shooting-atf-emails-reveal-blame-alarm-over-bump-stocks/1432137002/>; Jessica Kwong, *Ivanka Trump was more than complicit in Obama equal pay rollback-she had a hand in it, watchdog alleges*, Newsweek (Aug. 29, 2018), <https://www.newsweek.com/ivanka-trump-equal-pay-complicit-obama-1093833>; Vera Bergengruen, *New Emails Show What Happens When The Pentagon Has To Scramble To Catch Up To Trump*, BuzzFeed News (July 25, 2018), <https://www.buzzfeednews.com/article/verabergengruen/these-emails-show-what-happens-when-the-white-house-keeps>; Erin Doolley, *Exclusive: Former for-profit college executive shaped Education Department policy that could benefit former employers: Documents*, ABC News (May 15, 2017), <https://abcnews.go.com/US/exclusive-profit-college-executive-shaped-education-department-policy/story?id=55108981>; Heidi Przybyla, *Notes, emails reveal Trump appointees' war to end HHS teen pregnancy program*, NBC News (Mar. 20, 2018),



October 21, 2025

VIA Electronic Delivery

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

Re: Freedom of Information Act 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 General Services Administration ("GSA") produce the following within twenty (20) business days:

1. All electronic communications (including email messages, complete email chains, calendar invitations, or attachments thereto, as well as any text messages or messages sent on messaging platforms such as Microsoft Teams, Skype, WhatsApp, Signal, or GChat) **sent or received** by any of the officials listed below containing any of the following terms.
 - a. Officials:
 - i. Aimee Whiteman, Acting Regional Administrator of National Capital Region ("NCR")
 - ii. Christian Hazen, Deputy Regional Commissioner of NCR
 - iii. Christian Guzzano, Regional Counsel for NCR
 - iv. Michael Rigas, Acting Administrator of GSA
 - v. Stephen Ehikian, Former Acting Administrator of GSA
 - vi. Saul Japson, Acting Chief of Staff for GSA
 - vii. Ryan Leppert, White House Liaison for GSA
 - viii. Josh Gruenbaum, Commissioner of Federal Acquisition Service
 - ix. Andrew Heller, Acting Commissioner of Public Buildings Service ("PBS")
 - x. Michael Peters, Former Acting Commissioner of PBS
 - xi. Rusty McGranahan, General Counsel for GSA

DFF-GSA-25-1425

- b. Key terms:
 - i. Ballroom
 - ii. “Ball Room”
 - iii. “East Wing”
 - iv. Clark
 - v. ACECO
 - vi. AECOM
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- 2. All final federal contracts between GSA and the following companies listed below related to the construction, demolition, or design of the White House Ballroom. This includes agreements, modifications, and task awards.
 - a. Companies
 - i. Clark Construction
 - ii. ACECO
 - iii. AECOM
 - iv. Jacobs
 - v. McCrery Architects
- 3. All solicitations and bidding documents received by GSA for the construction, demolition, or design of the White House Ballroom.
- 4. All legal memoranda and analysis documents evaluating GSA’s role in reviewing or advising the construction, demolition or design of the White House Ballroom.
- 5. All memoranda, guidance documents, and communications sent to the White House providing GSA’s opinions on historic preservation issues regarding the White House Ballroom project and the agency’s jurisdiction in the project.

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Scope of Search

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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).

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Democracy Forward Foundation is not filing this request to further any commercial interest, and any information obtained by Democracy Forward Foundation 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 \$100. 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 foia@democracyforward.org.

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

Sincerely,

/s/ Skye Perryman

Skye Perryman

President & CEO

Democracy Forward Foundation

P.O. Box 34553

https://m.huffpost.com/us/entry/us_5bd9ff6ee4b01abe6a1ad4a9; Nick Penzenstadler, *A year after Vegas shooting, ATF emails reveal blame, alarm over bump stocks*, USA Today (Oct. 1, 2018), <https://www.usatoday.com/story/news/2018/10/01/year-after-vegas-shooting-atf-emails-reveal-blame-alarm-over-bump-stocks/1432137002/>; Jessica Kwong, *Ivanka Trump was more than complicit in Obama equal pay rollback-she had a hand in it, watchdog alleges*, Newsweek (Aug. 29, 2018), <https://www.newsweek.com/ivanka-trump-equal-pay-complicit-obama-1093833>; Vera Bergengruen, *New Emails Show What Happens When The Pentagon Has To Scramble To Catch Up To Trump*, BuzzFeed News (July 25, 2018), <https://www.buzzfeednews.com/article/verabergengruen/these-emails-show-what-happens-when-the-white-house-keeps>; Erin Dooley, *Exclusive: Former for-profit college executive shaped Education Department policy that could benefit former employers: Documents*, ABC News (May 15, 2017), <https://abcnews.go.com/US/exclusive-profit-college-executive-shaped-education-department-policy/story?id=55108981>; Heidi Przybyla, *Notes, emails reveal Trump appointees' war to end HHS teen pregnancy program*, NBC News (Mar. 20, 2018), <https://www.nbcnews.com/politics/politics-news/notes-emails-reveal-trump-appointees-war-end-hhs-teen-pregnancy-n857686>; Dominic Holden, *Documents Show The Trump Administration Approved Bump Stocks Before It Opposed Them*, BuzzFeed News (Mar. 22, 2018), <https://www.buzzfeednews.com/article/dominicholden/trump-administration-bump-stocks>; Bernard Condon, *Trump Advisor Denies He Cheered End of Tunnel Funding Deal*, Associated Press (Feb. 13, 2018), available at <https://www.usnews.com/news/business/articles/2018-02-13/trump-adviser-denies-he-cheered-end-of-tunnel-funding-deal>; Celeste Katz, *Interior Department tapped wildfire preparedness funds for Ryan Zinke helicopter tour*, Newsweek (Dec. 29, 2017), <https://www.newsweek.com/ryan-zinke-interior-department-helicopters-wildfires-757857>.

Washington, D.C. 20043



October 21, 2025

VIA Electronic Delivery

Committee for the Preservation of the White House
National Park Service
1849 C Street, Room 2229
Washington DC, 20240

Re: Freedom of Information Act 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 Committee for the Preservation of the White House ("Committee") produce the following within twenty (20) business days:

1. All electronic communications (including email messages, complete email chains, calendar invitations, or attachments thereto, as well as any text messages or messages sent on messaging platforms such as Microsoft Teams, Skype, WhatsApp, Signal, or GChat) **sent or received by** any of the officials listed below containing any of the following terms.
 - a. Officials:
 - i. Jessica Bowron, Comptroller, Exercising the Delegated Authority of the Director of National Park Service ("NPS")
 - ii. Tiffany Abernathy, Special Government Employee Member
 - iii. Lonnie Bunch, Secretary, Smithsonian Institution
 - iv. James Carter, Special Government Employee Member
 - v. Jennifer Fischer, Special Government Employee Member
 - vi. Barbara Matthews, Special Government Employee Member
 - vii. Richard Walters, Special Government Employee Member
 - b. Key terms:
 - i. Ballroom
 - ii. "Ball Room"
 - iii. "East Wing"
 - iv. Clark

- v. ACECO
- vi. AECOM
- vii. Jacobs
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2. All legal memoranda and analysis documents evaluating the Committee’s role in reviewing or advising the construction, demolition or design of the White House Ballroom.
3. All memoranda, guidance documents, and communications sent to the White House providing the Committee’s opinions on historic preservation issues regarding the White House Ballroom project and the agency’s jurisdiction in the project.
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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. DFF 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 government's pursuit of significant changes to the White House complex and consideration of historic preservation issues, especially in light of the recent demolition of the East Wing despite earlier statements that construction would not interfere the existing building.¹ Indeed, records received by Democracy Forward Foundation have previously formed the basis of news reports.²

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Democracy Forward Foundation is not filing this request to further any commercial interest, and any information obtained by Democracy Forward Foundation 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 \$100. 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 foia@democracyforward.org.

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

Sincerely,

/s/ Skye Perryman

Skye Perryman

President & CEO

Democracy Forward Foundation

P.O. Box 34553

Washington, D.C. 20043

Newsweek (Dec. 29, 2017),
<https://www.newsweek.com/ryan-zinke-interior-department-helicopters-wildfires-757857>.



October 21, 2025

VIA Electronic Delivery

National Park Service
1849 C Street, Room 2229
Washington DC, 20240

Re: Freedom of Information Act 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 National Park Service ("NPS") produce the following within twenty (20) business days:

1. All electronic communications (including email messages, complete email chains, calendar invitations, or attachments thereto, as well as any text messages or messages sent on messaging platforms such as Microsoft Teams, Skype, WhatsApp, Signal, or GChat) **sent or received by** any of the officials listed below containing any of the following terms.
 - a. Officials:
 - i. Jennifer T. Nersesian, Regional Director of National Capital Region
 - ii. Jessica Bowron, Comptroller, Exercising the Delegated Authority of the Director of National Park Service ("NPS")
 - iii. Frank Lands, Deputy Director of Operations for NPS
 - iv. Aaron Dowe, Acting Deputy Director of Management and Administration for NPS
 - v. Vacant, Deputy Director of Congressional and External Relations for NPS
 - vi. Susan Farinelli, Chief of Staff for NPS
 - vii. Mike Caldwell, Associate Director of Park Planning, Facilities, and Lands for NPS
 - b. Key terms:
 - i. "White House"
 - ii. Ballroom
 - iii. "Ball room"

- iv. “East Wing”
- v. Clark
- vi. ACECO
- vii. AECOM
- viii. Jacobs
- ix. “McCrery Architects”

Please note that Democracy Forward Foundation does not seek the initial mailing of news clips or other mass-distribution emails. However, subsequent communications responding to or forwarding such emails are responsive to this request. For example, if a specific individual received a mass-distribution news clip email containing the term “Ballroom” that initial email would not be responsive to this request. However, if that specific individual forwarded that email to another individual with his own commentary, that subsequent message would be responsive to this request and should be produced.

- 2. All legal memoranda and analysis documents evaluating NPS’s role in reviewing or advising the construction, demolition or design of the White House Ballroom.
- 3. All memoranda, guidance documents, and communications sent to the White House providing NPS’s opinions on historic preservation issues regarding the White House Ballroom project and the agency’s jurisdiction in the project.
- 4. All solicitations and bidding documents received by NPS for the construction, demolition, or design of the White House Ballroom.

This request seeks records from June 1, 2025 until the date of the search.

Scope of Search

FOIA requires agencies to disclose information, with only limited exceptions for information that would harm an interest protected by a specific exemption or where disclosure is prohibited by law. 5 U.S.C. § 552(a)(8)(A). In the event that any of the requested documents cannot be disclosed in their entirety, we request that you release any material that can be reasonably segregated. *See* 5 U.S.C. § 552(b). Should any documents or portions of documents be withheld, we further request that you state with specificity the description of the document to be withheld and the legal and factual grounds for withholding any documents or portions thereof in an index, as required by *Vaughn v. Rosen*, 484 F.2d 820 (D.C. Cir. 1973). Should any document include both disclosable and non-disclosable material that cannot reasonably be segregated, we request that you describe what proportion of the information in a document is non-disclosable and how that information is dispersed throughout the document. *Mead Data Cent., Inc. v. U.S. Dep’t of Air Force*, 566 F.2d 242, 261 (D.C. Cir. 1977).

If requested records are located in, or originated in, another agency, department, office, installation or bureau, please refer this request or any relevant portion of this request to the appropriate entity.

To the extent that the records are readily reproducible in an electronic format, we would prefer to receive the records in that format. However, if certain records are not available in that format, we are willing to accept the best available copy of each such record.

Please respond to this request in writing within 20 working days as required under 5 U.S.C. § 552(a)(6)(A)(i). If all of the requested documents are not available within that time period, we request that you provide us with all requested documents or portions of documents that are available within that time period. If all relevant records are not produced within that time period, we are entitled to a waiver of fees for searching and duplicating records under 5 U.S.C. § 552(a)(4)(A)(viii)(I).

Request for Fee Waiver

Pursuant to 5 U.S.C. § 552(a)(4)(A)(iii) and your agency's regulations, 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. DFF 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 government's pursuit of significant changes to the White House complex and consideration of historic preservation issues, especially in light of the recent demolition of the East Wing despite earlier statements that construction would not interfere the existing building.¹ Indeed, records received by Democracy Forward Foundation have previously formed the basis of news reports.²

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Democracy Forward Foundation is not filing this request to further any commercial interest, and any information obtained by Democracy Forward Foundation 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 \$100. 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 foia@democracyforward.org.

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

Sincerely,

/s/ Skye Perryman

Skye Perryman

President & CEO

Democracy Forward Foundation

P.O. Box 34553

Washington, D.C. 20043

Newsweek (Dec. 29, 2017),
<https://www.newsweek.com/ryan-zinke-interior-department-helicopters-wildfires-757857>.



October 21, 2025

VIA Electronic Delivery

Commission of Fine Arts
Chief FOIA Officer
401 F St., NW, Suite 312
Washington, DC 20001

Re: Freedom of Information Act 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 Commission of Fine Arts ("CFA") produce the following within twenty (20) business days:

1. All electronic communications (including email messages, complete email chains, calendar invitations, or attachments thereto, as well as any text messages or messages sent on messaging platforms such as Microsoft Teams, Skype, WhatsApp, Signal, or GChat) **sent or received** by any of the officials listed below containing any of the following terms.
 - a. Officials:
 - i. Billie Tsien
 - ii. Hazel Ruth Edwards
 - iii. Bruce Redman Becker
 - iv. Peter D. Cook
 - v. Lisa E. Delplace
 - vi. William J. Lenihan
 - vii. Justin Garrett Moore
 - b. Key terms:
 - i. "White House"
 - ii. Ballroom
 - iii. "Ball Room"
 - iv. "East Wing"
 - v. Clark

- vi. ACECO
- vii. AECOM
- viii. Jacobs
- ix. “McCrery Architects”

Please note that Democracy Forward Foundation does not seek the initial mailing of news clips or other mass-distribution emails. However, subsequent communications responding to or forwarding such emails are responsive to this request. For example, if a specific individual received a mass-distribution news clip email containing the term “Ballroom” that initial email would not be responsive to this request. However, if that specific individual forwarded that email to another individual with his own commentary, that subsequent message would be responsive to this request and should be produced.

- 2. All legal memoranda and analysis documents evaluating CFA’s role in reviewing or advising the construction, demolition or design of the White House Ballroom.
- 3. All memoranda, guidance documents, and communications sent to the White House providing CFA’s opinions on historic preservation issues regarding the White House Ballroom project and the commission’s jurisdiction in the project.
- 4. All solicitations and bidding documents received by CFA for the construction, demolition, or design of the White House Ballroom.

This request seeks records from June 1, 2025 until the date of the search.

Scope of Search

FOIA requires agencies to disclose information, with only limited exceptions for information that would harm an interest protected by a specific exemption or where disclosure is prohibited by law. 5 U.S.C. § 552(a)(8)(A). In the event that any of the requested documents cannot be disclosed in their entirety, we request that you release any material that can be reasonably segregated. *See* 5 U.S.C. § 552(b). Should any documents or portions of documents be withheld, we further request that you state with specificity the description of the document to be withheld and the legal and factual grounds for withholding any documents or portions thereof in an index, as required by *Vaughn v. Rosen*, 484 F.2d 820 (D.C. Cir. 1973). Should any document include both disclosable and non-disclosable material that cannot reasonably be segregated, we request that you describe what proportion of the information in a document is non-disclosable and how that information is dispersed throughout the document. *Mead Data Cent., Inc. v. U.S. Dep’t of Air Force*, 566 F.2d 242, 261 (D.C. Cir. 1977).

If requested records are located in, or originated in, another agency, department, office,

installation or bureau, please refer this request or any relevant portion of this request to the appropriate entity.

To the extent that the records are readily reproducible in an electronic format, we would prefer to receive the records in that format. However, if certain records are not available in that format, we are willing to accept the best available copy of each such record.

Please respond to this request in writing within 20 working days as required under 5 U.S.C. § 552(a)(6)(A)(i). If all of the requested documents are not available within that time period, we request that you provide us with all requested documents or portions of documents that are available within that time period. If all relevant records are not produced within that time period, we are entitled to a waiver of fees for searching and duplicating records under 5 U.S.C. § 552(a)(4)(A)(viii)(I).

Request for Fee Waiver

Pursuant to 5 U.S.C. § 552(a)(4)(A)(iii) and your agency's regulations, 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).

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Democracy Forward Foundation is not filing this request to further any commercial interest, and any information obtained by Democracy Forward Foundation 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 \$100. 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 foia@democracyforward.org.

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

Sincerely,

/s/ Skye Perryman

Skye Perryman

President & CEO

Democracy Forward Foundation

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Washington, D.C. 20043

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Skye Perryman

President & CEO

Democracy Forward Foundation

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