



EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF MANAGEMENT AND BUDGET
WASHINGTON, D.C. 20503

December 30, 2016

Mr. Reed Rubinstein
Dinsmore & Shohl, LLP
801 Pennsylvania Avenue, NW Suite 610
Washington, DC 20004

Sent via email: reed.rubinstein@dinsmore.com

Re: American Center for Equitable Treatment, Inc. v. The Office of Management and Budget, No. 16-1820 (DDC)

Dear Mr. Rubinstein:

This is in further response to your Freedom of Information Act (FOIA) administrative appeal and two FOIA requests, which are the subject of the above-referenced matter. Specifically, OMB received your administrative appeal on August 9, 2016 and assigned it tracking number 2016-128, and received two FOIA requests on August 9, 2016 and assigned them tracking numbers 2016-126 and 2016-127.

In accordance with the Joint Status Report filed on October 28, 2016, OMB responded to your administrative appeal numbered 16-128 on November 30, 2016. Furthermore, with this production, OMB responds to your request number 16-126.

OMB has conducted a search of its files, and reviewed material that was identified as potentially responsive to your request. We have determined that 122 documents are responsive to your request. Of those, 119 were also responsive to your administrative appeal numbered 16-128 and were provided to you in OMB's November 30, 2016 production. We have determined that of the remaining three documents, totaling 252 pages, two are appropriate in full and one is appropriate for release in part. As indicated on the enclosure, portions of this document have been redacted under FOIA Exemptions 5, 5 U.S.C. § 552(b)(5). Exemption 5 protects interagency or intra-agency pre-decisional deliberative communications, the disclosure of which would inhibit the frank and candid exchange of views that is necessary for effective government decision making.

OMB is continuing to review records that are potentially responsive to your request number 16-127 and will respond to you on or before January 31, 2016, in accordance with the Joint Status Report.

Sincerely,

Michele Holt
Paralegal Specialist
Executive Office of the President
Office of Management and Budget

Enclosures