U.S. OFFICE OF SPECIAL COUNSEL
1730 M Street, N.W., Suite 218
Washington, D.C. 20036-4505
(202) 804-7000
www.osc.gov

February 24, 2025

David Medeiros
MuckRock New, Dept MR177930
263 Huntington Ave
Boston, MA 02115

Sent via email to: 177930-68574575@requests.muckrock.com

Re: OSC Freedom of Information Act and/or Privacy Act Request (#FOIA-2025-067)

Dear David Medeiros,

This letter is in response to your Freedom of Information Act (FOIA)/Privacy Act (PA) request dated December 27, 2024, which was received by the Office of Special Counsel (OSC) on the same date. You requested the following information under FOIA, 5 U.S.C. § 552 and PA, 5 U.S.C. § 552(a): All materials submitted in the filing or related to the filing of DI-12192024714, including internal reviews, evaluations, and notes. All emails, letters, memoranda, and other forms of communication referencing DI-12192024714. Documentation of actions taken in response to DI-12192024714, including decision-making processes, referrals, or outcomes. Any investigative records, ADA accommodations and compliance, whistleblower statutory compliance, constitutional and statutory compliance, taxpayer accountability, and correspondence and contacts involved or related to the disclosure DI-12192024714.

We do not bill requestors for FOIA processing fees, because the cost of collection would be greater than the fee collected. See 43 C.F.R. § 2.49(a)(1). Therefore, there is no billable fee for the processing of this request.

OSC is an independent federal investigative and prosecutorial agency. Our primary mission is to safeguard the merit system by protecting federal employees and applicants from prohibited personnel practices, especially for whistleblowing. OSC conducted a search of its indices and found no documents responsive to your request. There is no obligation for OSC to create or compile a record to satisfy a FOIA or PA request. The FOIA and PA only apply to records in the agency's possession and control as of the date the agency began its search for responsive records.

For your information, Congress excluded three discrete categories of law enforcement and national security records from the requirements of FOIA. *See* 5 U.S.C. 552(c). This response is limited to those records that are subject to the requirements of FOIA. This is a standard notification that is given to all our requestors and should not be taken as an indication that excluded records do, or do not, exist.

If you disagree with this response, you may appeal this response to OSC's Office of General Counsel. If you choose to appeal, the General Counsel must receive your FOIA/PA appeal no later than 90 days from the date of this letter. Your appeal must be made in writing. You may submit your appeal and accompanying materials to OSC's Office of General Counsel by mail, e-mail, or by using our OSC PAL link at https://efoia.osc.gov/app/Home.aspx. Please note that, if the original request was not submitted using our OSC PAL link, you must register in order to file an appeal. Please ensure to use the same email address you submitted when filing your initial FOIA request.

Please include your name and daytime telephone number (or the name and telephone number of an appropriate contact) and email address in case the General Counsel needs additional information or clarification of your appeal. OSC's Office of General Counsel's Contact Information is the following:

The U.S. Office of Special Counsel
1730 M Street, N.W., Suite 218
Washington, D.C. 20036-4505
Attn: Office of General Counsel

Telephone: 202-804-7000
Email: FOIAappeal@osc.gov

Additionally, you may contact the Office of Government Information Services (OGIS) at the National Archives and Record Administration to inquire about mediation services they offer to resolve disputes between FOIA requestors and Federal Agencies as a non-exclusive alternative to litigation. Using OGIS services does not affect your right to pursue litigation. You may contact OGIS in any of the following ways:

Office of Government Information Services
National Archives and Records Administration
8601 Adelphi Road – OGIS
College Park, MD 20740-6001

E-mail: ogis@nara.gov
Web: https://ogis.archives.gov
Telephone: 202-741-5770
Facsimile: 202-741-5769
Toll-free: 1-877-684-6448

Please note that using OGIS services does not affect the timing of filing an appeal with the OSC's Office of General Counsel.

However, should you need to contact me, my telephone number is 202-804-7023 and the email is FOIArequest@osc.gov.

Sincerely,

SHELSEA RAMIREZ

Digitally signed by SHELSEA RAMIREZ
Date: 2025.02.24 11:04:45 -05'00'

Shelsea Ramirez