

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

HERITAGE FOUNDATION
214 Massachusetts Ave. N.E.
Washington, D.C. 20002

MIKE HOWELL
214 Massachusetts Ave. N.E.
Washington, D.C. 20002

Plaintiffs,

v.

Case No. 24-cv-1985

U.S. DEPARTMENT OF DEFENSE
1400 Defense Pentagon
Washington, D.C. 20301

OFFICE OF MANAGEMENT AND BUDGET.
725 17th Street NW, Suite 9272
Washington, D.C. 20503

Defendants.

**COMPLAINT AND PRAYER FOR DECLARATORY
AND INJUNCTIVE RELIEF**

Plaintiffs THE HERITAGE FOUNDATION and MIKE HOWELL (collectively “Plaintiffs”) for their complaint against Defendant DEPARTMENT OF DEFENSE (“DOD”) and Defendant OFFICE OF MANAGEMENT AND BUDGET (“OMB”) (collectively “Defendants”) allege on knowledge as to Plaintiffs, and on information and belief as to all other matters, as follows:

1. This is an action under the Freedom of Information Act (“FOIA”), 5 U.S.C § 552, to compel the production of records responsive to two FOIA requests on the same topic. The first request seeks records “regarding all medications dispensed on any aircraft designated with the call sign ‘Air Force One’ from January 20, 2021, to February 27, 2024.” *See* Plaintiffs’

FOIA Request, 2024-02613-F (Feb. 27, 2024) (“First Request” or “Plaintiffs’ First FOIA Request”) (Ex. 1). Plaintiffs submitted a second FOIA request on February 29, 2024 seeking records “regarding only prescription medications dispensed on any aircraft designated with the call sign ‘Air Force One’ on all of the below dates:

1. June 9–16, 2021
2. October 29–November 2, 2021
3. March 23–26, 2021
4. May 20–24, 2022
5. June 25–30, 2022
6. July 13–16, 2022
7. September 17–19, 2022
8. November 11–16, 2022
9. January 8–10, 2023
10. February 20–22, 2023
11. March 23–24, 2023
12. April 11–14, 2023
13. May 18–21, 2023
14. July 9–13, 2023
15. September 8–11, 2023
16. October 18, 2023.”

See Plaintiffs’ FOIA Request, 2024-02684-F (Feb. 29, 2024) (“Second Request” or “Plaintiffs’ Second FOIA Request”) (Feb. 29, 2024) (Ex. 2). Both Requests were submitted to DOD via the Air Force’s FOIA Public Access Link.

2. The types of medication dispensed on Air Force One are the subject of public interest because questions about the President’s mental and physical acuity have been the subject of widespread media and public interest following the release of Special Counsel Robert Hur’s Report and the June 27th Presidential Debate.

PARTIES

3. Plaintiff, The Heritage Foundation, is a Washington, D.C.-based nonpartisan public policy organization with a national and international reputation whose mission is to “formulate and promote public policies based on the principles of free enterprise, limited

government, individual freedom, traditional American values, and a strong national defense.”

Heritage Foundation, About Heritage, <https://www.heritage.org/about-heritage/mission> (last visited July 9, 2024). Heritage is a not-for-profit section 501(c)(3) organization which engages in substantial dissemination of information to the public. Heritage operates a national news outlet, The Daily Signal.

4. Plaintiff Mike Howell leads The Heritage Foundation’s Oversight Project and is an author for The Daily Signal. The Oversight Project is an initiative aimed at obtaining information via FOIA requests and other means in order to best inform the public and Congress for the purposes of Congressional oversight. “The requests and analyses of information are informed by Heritage’s deep policy expertise. By its nature, the Oversight Project is primarily engaged in disseminating information to the public.” Oversight Project, found at <https://www.heritage.org/oversight> (last visited July 9, 2024); Oversight Project (@OversightPR), X (last visited July 9, 2024), <https://twitter.com/OversightPR>. Staff for the Oversight Project routinely appear on television, radio, print, and other forms of media to provide expert commentary on salient issues in the national debate.

5. Defendant DOD is a federal agency of the United States within the meaning of 5 U.S.C. § 552(f)(1) whose mission is to “provide the military forces needed to deter war and ensure our nation’s security.” About DOD, found at <https://www.defense.gov/About> (last visited July 9, 2024). The Department of the Air Force is a federal agency within the meaning of 5 U.S.C. § 552(f)(1) whose mission is to “to fly, fight and win - airpower anytime, anywhere.” *See* U.S. Air Force, Mission, found at <https://www.airforce.com/mission> (last visited July 9, 2024). That work includes maintaining Air Force One. Upon information and belief, DOD has in its possession, custody, and control records responsive to Plaintiffs’ Request.

6. Defendant OMB is a federal agency of the United States within the meaning of 5 U.S.C. § 552(f)(1) whose mission is to “assist the President in meeting policy, budget, management, and regulatory objectives and to fulfill the agency’s statutory responsibilities.” *See* Office of Management and Budget, found at <https://www.whitehouse.gov/omb/> (last visited July 9, 2024). Upon information and belief, OMB has jurisdictional control of whether Defendant DOD can release records responsive to Plaintiffs’ Request.

JURISDICTION AND VENUE

7. The Court has subject matter jurisdiction pursuant to 5 U.S.C. § 552(a)(4)(B) and 28 U.S.C. § 1331.

8. Venue lies in this district pursuant to 28 U.S.C. section 1391(e).

9. Plaintiffs seek declaratory relief under 28 U.S.C. §§ 2201–2202 and Rule 57 of the Federal Rules of Civil Procedure.

PLAINTIFFS’ FOIA REQUESTS

10. On February 27, 2024, Plaintiffs submitted a FOIA request to Air Force District of Washington, Bolling Air Force Base/Andrews Air Force Base requesting “records regarding all medications dispensed on any aircraft designated with the call sign ‘Air Force One’ from January 20, 2021 to February 27, 2024.” Ex. 1 at 1.

11. Plaintiffs submitted a second FOIA request on February 29, 2024, requesting, “records regarding only prescription medications dispensed on any aircraft designated with the call sign ‘Air Force One’ on all of the below dates:

1. June 9–16, 2021
2. October 29–November 2, 2021
3. March 23–26, 2021
4. May 20–24, 2022
5. June 25–30, 2022
6. July 13–16, 2022

7. September 17–19, 2022
8. November 11–16, 2022
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10. February 20–22, 2023
11. March 23–24, 2023
12. April 11–14, 2023
13. May 18–21, 2023
14. July 9–13, 2023
15. September 8–11, 2023
16. October 18, 2023.

See Ex. 2 at 1.

12. Both Requests sought a fee waiver. Ex. 1 at 4; Ex. 2 at 4.

13. On February 27, 2024, Plaintiffs received emails acknowledging receipt of the First Request and assigning it the tracking number 2024-02613-F. *See* Emails from Air Force FOIA Requester Service Center to Plaintiffs (Feb. 27, 2024) (Ex. 3).

14. On February 29, 2024, Plaintiffs received emails acknowledging receipt of the Second Request and assigning it tracking number 2024-02684-F. *See* Emails from Air Force FOIA Requester Service Center to Plaintiffs (Feb. 29, 2024) (Ex. 4).

15. On March 22, 2024, Plaintiffs received an email updating Plaintiffs on the status of Plaintiffs' First FOIA Request, 2024-02613-F. *See* Email from Freedom of Information Act (FOIA) Office, Air Force District of Washington (AFDW) to Mike Howell (Mar. 22, 2024) ("Update Letter") (Ex. 5). In this email, the FOIA Officer informed Plaintiffs the request was placed "in the Complex processing track. A complex request can take substantial time and cause significant impact on responding units." Ex. 5 at 1. The FOIA Officer further informed Plaintiffs "[w]e estimate we will provide a response to your request within 30 working days." *Id.* Plaintiffs construe this email to be an invocation of the 10-day extension for "unusual circumstances." *See* 32 C.F.R. § 286.8(c).

16. The Update Letter placed Plaintiffs under the “‘Educational or Noncommercial Scientific Institution or News Media’ fee category for processing.” Ex. 5 at 1.

DEFENDANT’S CONSTRUCTIVE DENIAL

17. On April 4, 2024, Plaintiffs received an email from the Air Force FOIA Officer informing Plaintiffs that both Requests concerned records that “do not fall within our release jurisdiction” and that the Requests had “been referred to the Office of Management and Budget Request Service Center (RSC).” *See* Email from Freedom of Information Act (FOIA) Office, Air Force District of Washington (AFDW) to Mike Howell (Apr. 4, 2024) (Ex. 6) (“Referral Letter” or “Ref. Ltr.”).

18. The Referral Letter was not an “adverse determination” under DOD Regulations. *See* 32 CFR § 286.9(e) (“Adverse determinations, or denials of requests, include decisions that the requested record is exempt, in whole or in part; the request does not reasonably describe the records sought; the information requested is not a record subject to the FOIA; the requested record does not exist, cannot be located, or has been destroyed; or the requested record is not readily reproducible in the form or format sought by the requester. Adverse determinations also include denials involving fees or fee waiver matters or denials of requests for expedited processing.”).

19. The Referral Letter was not a determination under FOIA. *See, e.g., Machado Amadis v. U.S. Dept’ of State*, 971 F.3d 364, 372–73 (D.C. Cir. 2020); *Khine v. DHS*, 943 F.3d 959, 966–67 (D.C. Cir. 2019).

20. According to the Air Force’s FOIA Public Access Link Tracking System, the Air Force received Plaintiffs’ First Request (No. 2024-02613-F) on February 27, 2024 and received Plaintiffs’ Second Request (No. 2024-02684-F) on February 29, 2024. Both Requests have been

“closed” in the tracking system. *See* Air Force Public Access Link for Request Nos. 2024-02613-F and 2024-02684-F (Ex. 7).

21. Having received no communication from OMB, Plaintiffs wrote to OMB requesting an update on the processing of the FOIA Request on July 8, 2024. *See* Email from Mike Howell to OMB FOIA Office (July 8, 2024) (“Plaintiffs’ Email to OMB”) (Ex. 8).

22. Plaintiffs have received no other communications about the Requests since April 4, 2024.

23. Thirty business days from March 22, 2024, is April 21, 2024.

FIRST CLAIM FOR RELIEF
Violation of FOIA, 5 U.S.C. § 552
Failure to Conduct Adequate Searches for Responsive Records

24. Plaintiffs re-allege the foregoing paragraphs as if fully set out herein.

25. FOIA requires all doubts to be resolved in favor of disclosure. “Transparency in government operations is a priority of th[e Biden] . . . Administration.” Attorney General, *Memorandum for Heads of Executive Departments and Agencies: Freedom of Information Act Guidelines*, at 4 (Mar. 15, 2022).

26. Plaintiffs properly requested records within the Defendants’ possession, custody, and control.

27. Defendants are subject to FOIA and therefore must make reasonable efforts to search for requested records.

28. Defendants have failed to promptly review agency records for the purpose of locating and collecting those records that are responsive to Plaintiffs’ FOIA Request.

29. Defendants’ failure to conduct searches for responsive records violates FOIA, DOD, and OMB regulations.

30. Plaintiffs have a statutory right to the information they seek.

31. Defendants are in violation of FOIA.

32. Plaintiffs are being irreparably harmed by reason of Defendants' violation of FOIA. Plaintiffs are being denied information to which they are statutorily entitled and that is important to carrying out Plaintiffs' functions as a non-partisan research and educational institution and publisher of news. Plaintiffs will continue to be irreparably harmed unless Defendants are compelled to comply with the law.

33. Plaintiffs have no adequate remedy at law.

34. Plaintiffs have constructively exhausted their administrative remedies.

SECOND CLAIM FOR RELIEF
Violation of FOIA, 5 U.S.C. § 552
Wrongful Withholding of Non-Exempt Responsive Records

35. Plaintiffs re-allege the foregoing paragraphs as if fully set out herein.

36. FOIA requires all doubts to be resolved in favor of disclosure. "Transparency in government operations is a priority of th[e Biden] . . . Administration." Attorney General, *Memorandum for Heads of Executive Departments and Agencies: Freedom of Information Act Guidelines*, at 4 (Mar. 15, 2022).

37. Plaintiffs properly requested records within the possession, custody, or control of Defendants.

38. Defendants are subject to FOIA, and therefore must release to a FOIA requester any non-exempt records and provide a lawful reason for withholding any records.

39. Defendants are wrongfully withholding non-exempt records requested by Plaintiffs by failing to produce any records responsive to Plaintiffs' FOIA Request.

40. Defendants are wrongfully withholding non-exempt-agency records requested by

Plaintiffs by failing to segregate exempt information in otherwise non-exempt records responsive to Plaintiffs' FOIA Request.

41. Defendants' failure to provide all non-exempt responsive records violates FOIA, DOD, and OMB regulations.

42. Plaintiffs have a statutory right to the information they seek.

43. Defendants are in violation of FOIA.

44. Plaintiffs are being irreparably harmed by reason of Defendants' violation of FOIA. Plaintiffs are being denied information to which they are statutorily entitled and that is important to carrying out Plaintiffs' functions as a non-partisan research and educational institution and publisher of news. Plaintiffs will continue to be irreparably harmed unless Defendants are compelled to comply with the law.

45. Plaintiffs have no adequate remedy at law.

46. Plaintiffs have constructively exhausted their administrative remedies.

THIRD CLAIM FOR RELIEF
Violation of FOIA, 5 U.S.C. § 552
Wrongful Denial of Fee Waiver

47. Plaintiffs re-allege the foregoing paragraphs as if fully set out herein.

48. FOIA requires all doubts to be resolved in favor of disclosure. "Transparency in government operations is a priority of th[e Biden] . . . Administration." Attorney General, *Memorandum for Heads of Executive Departments and Agencies: Freedom of Information Act Guidelines*, at 4 (Mar. 15, 2022).

49. Plaintiffs properly requested records within the possession, custody, or control of Defendant.

50. Defendants have constructively denied Plaintiffs' application for a fee waiver pursuant to 5 U.S.C. § 552(a)(4)(A)(ii) & (iii), 5 C.F.R. § 1303.90, and 8 C.

51. The Request does not have a commercial purpose because Heritage is a 501(c)(3) nonprofit, Howell acts in his capacity as a Heritage employee, and release of the information sought does not further Plaintiffs' commercial interest.

52. Plaintiffs are members of the news media as they "gather[] information of potential interest to a segment of the public, use[] . . . [their] editorial skills to turn the raw materials into a distinct work, and distribute[] that work to an audience" via Heritage's major news outlet, *The Daily Signal*. 5 U.S.C. § 552(a)(4)(a)(ii).

53. Disclosure of the information sought by the Request also "is in the public interest because it is likely to contribute significantly to public understanding of the operations or activities of the government." 5 U.S.C. § 552(a)(4)(A)(iii).

54. Defendants have "failed to comply with a[]time limit under paragraph (6)" as to the Request. 5 U.S.C. § 552(a)(4)(A)(viii)(I).

55. Plaintiffs have a statutory right to a fee waiver.

56. Defendants are in violation of FOIA by denying a fee waiver.

57. Plaintiffs are being irreparably harmed by reason of Defendants' violation of FOIA. Plaintiffs are being denied a fee waiver to which they are statutorily entitled and that is important to carrying out Plaintiffs' functions as a non-partisan research and educational institution and publisher of news. Plaintiffs will continue to be irreparably harmed unless Defendants are compelled to comply with the law.

58. Plaintiffs have no adequate remedy at law.

59. Plaintiffs have constructively exhausted their administrative remedies.

FOURTH CLAIM FOR RELIEF
Violation of FOIA, 5 U.S.C. § 552
Statutory Bar Against Charging Fees

60. Plaintiffs re-allege the foregoing paragraphs as if fully set out herein.

61. FOIA requires all doubts to be resolved in favor of disclosure. “Transparency in government operations is a priority of th[e Biden] . . . Administration.” Attorney General, *Memorandum for Heads of Executive Departments and Agencies: Freedom of Information Act Guidelines*, at 4 (Mar. 15, 2022).

62. Plaintiffs properly requested records within the possession, custody, or control of Defendants.

63. The Request does not have a commercial purpose because Heritage is a 501(c)(3) nonprofit, Mike Howell acts in his capacity as a Heritage employee, and release of the information sought does not further Plaintiffs’ commercial interest.

64. Plaintiffs are members of the news media as they “gather[] information of potential interest to a segment of the public, use[] . . . [their] editorial skills to turn the raw materials into a distinct work, and distribute[] that work to an audience” via Heritage’s major news outlet, *The Daily Signal*. 5 U.S.C. § 552(a)(4)(a)(ii).

65. Disclosure of the information sought by the Request also “is in the public interest because it is likely to contribute significantly to public understanding of the operations or activities of the government.” 5 U.S.C. § 552(a)(4)(A)(iii).

66. Defendant has “failed to comply with a[]time limit under paragraph (6)” as to the Request. 5 U.S.C. § 552(a)(4)(A)(viii)(I).

67. Defendants are currently statutorily barred from charging fees related to Plaintiffs’ FOIA Request. Therefore, Plaintiffs have a statutory right to have their request processed

without being charged any fees.

68. Plaintiffs are being irreparably harmed by reason of Defendants' violation of FOIA. Plaintiffs will continue to be irreparably harmed unless Defendants are compelled to comply with the law.

69. Plaintiffs have no adequate remedy at law. Plaintiffs have constructively exhausted their administrative remedies.

WHEREFORE as a result of the foregoing, Plaintiffs pray this Court:

- A. Declare unlawful Defendants' refusal to disclose requested records;
- B. Declare that Defendants' failure to make determinations to Plaintiffs' FOIA Request within the statutory time frame violates FOIA;
- C. Order Defendants to conduct a search for any and all records responsive to Plaintiffs' FOIA Request and demonstrate that it employed search methods reasonably likely to lead to the discovery of records responsive to Plaintiffs' FOIA Request;
- D. Order Defendants to produce, within twenty days of the Court's order, or by such other date as the Court deems appropriate, any and all non-exempt records responsive to Plaintiffs' FOIA Request as well as a Vaughn index of any responsive records withheld under claim of exemption;
- E. Enjoin Defendants from continuing to withhold any and all non-exempt records responsive to Plaintiffs' FOIA Request;
- F. Award Plaintiffs the costs of this action and reasonable attorney's fees; and
- G. Grant such other and further relief as this Court deems equitable and just.

Dated: July 9, 2024

Respectfully submitted,

/s/ Eric Neal Cornett
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Counsel for Plaintiffs

EXHIBIT 1

The Oversight Project



SENT VIA: Air Force FOIA Portal

February 27, 2024

Air Force District of Washington
Bolling Air Force Base/Andrews Air Force Base

Dear FOIA Officer:

Pursuant to the Freedom of Information Act, 5 U.S.C. § 552, and the implementing FOIA regulations of the Department of Defense, I respectfully request the following records regarding all medications dispensed on any aircraft designated with the call sign “Air Force One” from January 20, 2021 to February 27, 2024.

To further narrow down the scope of the request, requester does not seek correspondence that merely forwards press clippings, such as news accounts or opinion pieces, newsletters, and published or docketed materials, if that correspondence has no comment or no substantive comment added by any party in the thread.

The terms “pertaining to,” “referring,” “relating,” or “concerning” with respect to any given subject means anything that constitutes, contains, embodies, reflects, identifies, states, refers to, deals with, or is in any manner whatsoever pertinent to that subject.

The term “record” means any written, recorded, or graphic matter of any nature whatsoever, regardless of how recorded, and whether original or copy, including, but not limited to, the following: memoranda, reports, expense reports, books, manuals, instructions, financial reports, working papers, records, notes, letters, notices, confirmations, telegrams, receipts, appraisals, pamphlets, magazines, newspapers, prospectuses, inter-office and intra-office communications, electronic mail (emails), MMS or SMS text messages, instant messages, messaging systems (such as iMessage, Microsoft Teams, WhatsApp, Telegram, Signal, Google Chat, Twitter direct messages, Lync, Slack, and Facebook Messenger), contracts, cables, telexes, notations of any type of conversation, telephone call, voicemail, meeting or other communication, bulletins, printed matter, computer printouts, teletypes, invoices, transcripts, diaries, analyses, returns, summaries, minutes, bills, accounts, estimates, projections, comparisons, messages, correspondence,

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press releases, circulars, financial statements, reviews, opinions, offers, studies and investigations, questionnaires and surveys, and work sheets (and all drafts, preliminary versions, alterations, modifications, revisions, changes, and amendments of any of the foregoing, as well as any attachments or appendices thereto), and graphic or oral records or representations of any kind (including without limitation, photographs, charts, graphs, microfiche, microfilm, videotape, recordings and motion pictures), and electronic, mechanical, and electronic records or representations of any kind (including, without limitation, tapes, cassettes, disks, and recordings) and other written, printed, typed, or other graphic or recorded matter of any kind or nature, however produced or reproduced, and whether preserved in writing, film, tape, disk, videotape or otherwise. By definition, a “communication” (as that term is defined herein) is also a “record” if the means of communication is any written, recorded, or graphic matter of any sort whatsoever, regardless of how recorded, and whether original or copy.

The terms “and” and “or” should be construed broadly and either conjunctively or disjunctively to bring within the scope of this request any information which might otherwise be construed to be outside its scope. The terms “all,” “any,” and “each” should each be construed as encompassing any and all. The singular includes the plural number, and vice versa. The present tense includes the past and vice versa. The masculine includes the feminine and neuter genders.

The term “communication” means each manner or means of disclosure or exchange of information (in the form of facts, ideas, inquiries, or otherwise), regardless of means utilized, whether oral, electronic, by document or otherwise, and whether in an in-person meeting, by telephone, facsimile, e-mail (desktop or mobile device), text message, MMS or SMS message, regular mail, telexes, releases, or otherwise.

“Communications with,” “communications from,” and “communications between” means any communication involving the related parties, regardless of whether other persons were involved in the communication, and includes, but is not limited to, communications where one party is cc’d or bcc’d, both parties are cc’d or bcc’d, or some combination thereof.

The term “person” is defined as any natural person or any legal entity, including, without limitation, any business or governmental entity or association, and all subsidiaries, divisions, partnerships, properties, affiliates, branches, groups, special purpose entities, joint ventures, predecessors, successors, or any other entity in which they have or had a controlling interest, and any employee, and any other

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units thereof.

The term “employee” means a current or former: officer, director, shareholder, partner, member, consultant, senior manager, manager, senior associate, permanent employee, staff employee, attorney, agent (whether de jure, de facto, or apparent without limitation), advisor, representative, attorney (in law or in fact), lobbyist (registered or unregistered), borrowed employee, casual employee, consultant, contractor, de facto employee, independent contractor, joint adventurer, loaned employee, part-time employee, provisional employee, or subcontractor.

A record bearing any notation not a part of the original text is to be considered a separate record. A draft or non-identical copy is a separate record within the meaning of this term.

Please consider all members of a document “family” to be responsive to the request if any single “member” of that “family” is responsive, regardless of whether the “family member” in question is “parent” or “child.”

This request for records includes any attachments to those records or other materials enclosed with those records when they were previously transmitted. To the extent that an email is responsive to our request, our request includes all prior messages sent or received in that email chain, as well as any attachments to the email.

In the interest of expediency and to minimize the research and/or duplication burden on your staff, please send records electronically if possible. If this is not possible, please notify me before sending to the mailing address listed below. If access to this request will take longer than twenty business days, please let me know when I might receive records or be able to inspect the requested records. Please produce responsive documents as soon as they become available. In all cases, please communicate with me at the below email address.

Please comply fully with 5 U.S.C. § 552(b). Accordingly, without limitation to the foregoing, if any portion of this request is denied for any reason, please provide written notice of the records or portions of records that are being withheld and cite each specific exemption of the Freedom of Information Act on which the agency relies. Moreover, to the extent that responsive records may be withheld in part, produce all reasonably segregable portions of those records. Additionally, please provide all responsive documents even if they are redacted in full.

The Oversight Project



Fee Waiver Request

This request is primarily and fundamentally for non-commercial purposes. As a 501(c)(3) nonprofit, Heritage Foundation does not have a commercial purpose and the release of the information requested is not in Heritage Foundation's commercial interest. Heritage Foundation's mission is to formulate and promote public policies based on the principles of free enterprise, limited government, individual freedom, traditional American values, and a strong national defense. Heritage Foundation uses the information requested and analyzes it in order to educate the public through social media,¹ broadcast media² (traditional and nontraditional) and press releases.³ The requested information is in the public interest because medications were liberally dispensed with little oversight in the White House.⁴

Because this is a request by a member of the news media for information of public interest, made in my capacity as an author for the Daily Signal⁵ (a major news outlet⁶), I actively gather information of potential interest to our Daily Signal audience, and I use my editorial skills to turn raw materials into a distinct work, and I distribute that work to our Daily Signal audience through podcasts⁷ or articles. I also post our distinct work on our Oversight Project social media page.⁸ By function, the Oversight Project is primarily engaged in disseminating information to the public. Staff members for the Oversight Project regularly appear on television, radio, print, and other forms of media to provide expert

¹ Heritage Foundation on X. [@Heritage] (Accessed: 2024, February 23). 690.2K Followers on X. <https://twitter.com/Heritage>

² Fox News. (Accessed: 2024, February 23). Heritage Foundation launches Conservative Oversight Project aimed at 'exposing' Biden admin, leftist policies. <https://www.foxnews.com/politics/heritage-conservative-oversight-project-biden-admin-leftist-policies>

³ Heritage Foundation. (Accessed: 2024, February 23). Press. <https://www.heritage.org/press>.

⁴ CNN. Accessed: 2024, February 27). White House clinic handed out medications with little oversight during past administrations, new investigation shows. <https://www.cnn.com/2024/01/24/health/white-house-medical-unit-report/index.html>

⁵ Daily Signal. (Accessed: 2024, February 23). Mike Howell. <https://www.dailysignal.com/author/mike-howell/>

⁶ Daily Signal on X. [@DailySignal] (Accessed: 2024, February 23). 86.1K Followers on X. <https://twitter.com/DailySignal>

⁷ Apple. (Accessed: 2024, February 23). The Daily Signal Podcast. <https://podcasts.apple.com/us/podcast/the-daily-signal-podcast/id1313611947>

⁸ Oversight Project on X. [@OversightPR] (Accessed: 2024, February 23). 13.1k Followers on X. <https://twitter.com/oversightpr>

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commentary on salient issues in the national debate. I request that you waive all applicable fees associated with this request.

If you deny this request for a fee waiver, please advise me in advance of the estimated charges if they are to exceed \$50. Please send me a detailed and itemized explanation of those charges.

Thank you in advance for considering my request. If you have any questions, or feel you need clarification of this request please contact me at oversightproject@heritage.org.

Sincerely,

/s/ Mike Howell /s/
Mike Howell
Director of the Oversight Project and
Investigative Columnist
The Heritage Foundation
214 Massachusetts Ave, NE
Washington, D.C. 20002

EXHIBIT 2

The Oversight Project



SENT VIA: Air Force FOIA Portal

February 29, 2024

Air Force District of Washington
Bolling Air Force Base/Andrews Air Force Base

Dear FOIA Officer:

Pursuant to the Freedom of Information Act, 5 U.S.C. § 552, and the implementing FOIA regulations of the Department of Defense, I respectfully request the following records regarding only prescription medications dispensed on any aircraft designated with the call sign “Air Force One” on all of the below dates:

1. June 9-16, 2021
2. October 29-November 2, 2021
3. March 23-26, 2021
4. May 20-24, 2022
5. June 25-30, 2022
6. July 13-16, 2022
7. September 17-19, 2022
8. November 11-16, 2022
9. January 8-10, 2023
10. February 20-22, 2023
11. March 23-24, 2023
12. April 11-14, 2023
13. May 18-21, 2023
14. July 9-13, 2023
15. September 8-11, 2023
16. October 18, 2023

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To further narrow down the scope of the request, requester does not seek correspondence that merely forwards press clippings, such as news accounts or opinion pieces, newsletters, and published or docketed materials, if that correspondence has no comment or no substantive comment added by any party in the thread.

The terms “pertaining to,” “referring,” “relating,” or “concerning” with respect to any given subject means anything that constitutes, contains, embodies, reflects, identifies, states, refers to, deals with, or is in any manner whatsoever pertinent to that subject.

The term “record” means any written, recorded, or graphic matter of any nature whatsoever, regardless of how recorded, and whether original or copy, including, but not limited to, the following: memoranda, reports, expense reports, books, manuals, instructions, financial reports, working papers, records, notes, letters, notices, confirmations, telegrams, receipts, appraisals, pamphlets, magazines, newspapers, prospectuses, inter-office and intra-office communications, electronic mail (emails), MMS or SMS text messages, instant messages, messaging systems (such as iMessage, Microsoft Teams, WhatsApp, Telegram, Signal, Google Chat, Twitter direct messages, Lync, Slack, and Facebook Messenger), contracts, cables, telexes, notations of any type of conversation, telephone call, voicemail, meeting or other communication, bulletins, printed matter, computer printouts, teletypes, invoices, transcripts, diaries, analyses, returns, summaries, minutes, bills, accounts, estimates, projections, comparisons, messages, correspondence, press releases, circulars, financial statements, reviews, opinions, offers, studies and investigations, questionnaires and surveys, and work sheets (and all drafts, preliminary versions, alterations, modifications, revisions, changes, and amendments of any of the foregoing, as well as any attachments or appendices thereto), and graphic or oral records or representations of any kind (including without limitation, photographs, charts, graphs, microfiche, microfilm, videotape, recordings and motion pictures), and electronic, mechanical, and electronic records or representations of any kind (including, without limitation, tapes, cassettes, disks, and recordings) and other written, printed, typed, or other graphic or recorded matter of any kind or nature, however produced or reproduced, and whether preserved in writing, film, tape, disk, videotape or otherwise. By definition, a “communication” (as that term is defined herein) is also a “record” if the means of communication is any written, recorded, or graphic matter of any sort whatsoever, regardless of how recorded, and whether original or copy.

The Oversight Project



The terms “and” and “or” should be construed broadly and either conjunctively or disjunctively to bring within the scope of this request any information which might otherwise be construed to be outside its scope. The terms “all,” “any,” and “each” should each be construed as encompassing any and all. The singular includes the plural number, and vice versa. The present tense includes the past and vice versa. The masculine includes the feminine and neuter genders.

The term “communication” means each manner or means of disclosure or exchange of information (in the form of facts, ideas, inquiries, or otherwise), regardless of means utilized, whether oral, electronic, by document or otherwise, and whether in an in-person meeting, by telephone, facsimile, e-mail (desktop or mobile device), text message, MMS or SMS message, regular mail, telexes, releases, or otherwise.

“Communications with,” “communications from,” and “communications between” means any communication involving the related parties, regardless of whether other persons were involved in the communication, and includes, but is not limited to, communications where one party is cc’d or bcc’d, both parties are cc’d or bcc’d, or some combination thereof.

The term “person” is defined as any natural person or any legal entity, including, without limitation, any business or governmental entity or association, and all subsidiaries, divisions, partnerships, properties, affiliates, branches, groups, special purpose entities, joint ventures, predecessors, successors, or any other entity in which they have or had a controlling interest, and any employee, and any other units thereof.

The term “employee” means a current or former: officer, director, shareholder, partner, member, consultant, senior manager, manager, senior associate, permanent employee, staff employee, attorney, agent (whether de jure, de facto, or apparent without limitation), advisor, representative, attorney (in law or in fact), lobbyist (registered or unregistered), borrowed employee, casual employee, consultant, contractor, de facto employee, independent contractor, joint adventurer, loaned employee, part-time employee, provisional employee, or subcontractor.

A record bearing any notation not a part of the original text is to be considered a separate record. A draft or non-identical copy is a separate record within the meaning of this term.

Please consider all members of a document “family” to be responsive to the

The Oversight Project



request if any single “member” of that “family” is responsive, regardless of whether the “family member” in question is “parent” or “child.”

This request for records includes any attachments to those records or other materials enclosed with those records when they were previously transmitted. To the extent that an email is responsive to our request, our request includes all prior messages sent or received in that email chain, as well as any attachments to the email.

In the interest of expediency and to minimize the research and/or duplication burden on your staff, please send records electronically if possible. If this is not possible, please notify me before sending to the mailing address listed below. If access to this request will take longer than twenty business days, please let me know when I might receive records or be able to inspect the requested records. Please produce responsive documents as soon as they become available. In all cases, please communicate with me at the below email address.

Please comply fully with 5 U.S.C. § 552(b). Accordingly, without limitation to the foregoing, if any portion of this request is denied for any reason, please provide written notice of the records or portions of records that are being withheld and cite each specific exemption of the Freedom of Information Act on which the agency relies. Moreover, to the extent that responsive records may be withheld in part, produce all reasonably segregable portions of those records. Additionally, please provide all responsive documents even if they are redacted in full.

Fee Waiver Request

This request is primarily and fundamentally for non-commercial purposes. As a 501(c)(3) nonprofit, Heritage Foundation does not have a commercial purpose and the release of the information requested is not in Heritage Foundation’s commercial interest. Heritage Foundation’s mission is to formulate and promote public policies based on the principles of free enterprise, limited government, individual freedom, traditional American values, and a strong national defense. Heritage Foundation uses the information requested and analyzes it in order to educate the public through social media,¹ broadcast media²

¹ Heritage Foundation on X. [@ Heritage] (Accessed: 2024, February 23). 690.2K Followers on X. <https://twitter.com/Heritage>

² Fox News. (Accessed: 2024, February 23). Heritage Foundation launches Conservative Oversight Project aimed at 'exposing' Biden admin, leftist policies. <https://www.foxnews.com/politics/heritage-conservative-oversight-project-biden-admin-leftist-policies>

The Oversight Project



(traditional and nontraditional) and press releases.³ The requested information is in the public interest because medications were liberally dispensed with little oversight in the White House.⁴

Because this is a request by a member of the news media for information of public interest, made in my capacity as an author for the Daily Signal⁵ (a major news outlet⁶), I actively gather information of potential interest to our Daily Signal audience, and I use my editorial skills to turn raw materials into a distinct work, and I distribute that work to our Daily Signal audience through podcasts⁷ or articles. I also post our distinct work on our Oversight Project social media page.⁸ By function, the Oversight Project is primarily engaged in disseminating information to the public. Staff members for the Oversight Project regularly appear on television, radio, print, and other forms of media to provide expert commentary on salient issues in the national debate. I request that you waive all applicable fees associated with this request.

If you deny this request for a fee waiver, please advise me in advance of the estimated charges if they are to exceed \$50. Please send me a detailed and itemized explanation of those charges.

Thank you in advance for considering my request. If you have any questions, or feel you need clarification of this request please contact me at oversightproject@heritage.org.

Sincerely,

/s/ Mike Howell /s/
Mike Howell
Director of the Oversight Project and

³ Heritage Foundation. (Accessed: 2024, February 23). Press. <https://www.heritage.org/press>.

⁴ CNN. Accessed: 2024, February 27). White House clinic handed out medications with little oversight during past administrations, new investigation shows. <https://www.cnn.com/2024/01/24/health/white-house-medical-unit-report/index.html>

⁵ Daily Signal. (Accessed: 2024, February 23). Mike Howell. <https://www.dailysignal.com/author/mike-howell/>

⁶ Daily Signal on X. [@DailySignal] (Accessed: 2024, February 23). 86.1K Followers on X. <https://twitter.com/DailySignal>

⁷ Apple. (Accessed: 2024, February 23). The Daily Signal Podcast. <https://podcasts.apple.com/us/podcast/the-daily-signal-podcast/id1313611947>

⁸ Oversight Project on X. [@OversightPR] (Accessed: 2024, February 23). 13.1k Followers on X. <https://twitter.com/oversightpr>

The Oversight Project



Investigative Columnist
The Heritage Foundation
214 Massachusetts Ave, NE
Washington, D.C. 20002

EXHIBIT 3

Request Acknowledgement by Air Force FOIA Requester Service Center

no-reply.daf.foia@us.af.mil <no-reply.daf.foia@us.af.mil>

Tue 2/27/2024 3:46 PM

To: OversightProject <OversightProject@heritage.org>

Dear Mike Howell,

Case Number 2024-02613-F has been assigned to the request you submitted. In all future correspondence regarding this request please reference case number 2024-02613-F. To review your submission, please log into your account: <https://efoia.cce.af.mil/>.

Regards,

Air Force FOIA Requester Service Center

Status Update for Request #2024-02613-F

no-reply.daf.foia@us.af.mil <no-reply.daf.foia@us.af.mil>

Tue 2/27/2024 3:46 PM

To: OversightProject <OversightProject@heritage.org>

Dear Mike Howell,

The status of your FOIA request #2024-02613-F has been updated to the following status 'Received'. To log into the PAL Application click on the Application URL below.

<https://efoia.cce.af.mil/>

Sincerely,
Air Force FOIA Requester Service Center

EXHIBIT 4

Request Acknowledgement by Air Force FOIA Requester Service Center

no-reply.daf.foia@us.af.mil <no-reply.daf.foia@us.af.mil>

Thu 2/29/2024 2:41 PM

To: OversightProject <OversightProject@heritage.org>

Dear Mike Howell,

Case Number 2024-02684-F has been assigned to the request you submitted. In all future correspondence regarding this request please reference case number 2024-02684-F. To review your submission, please log into your account: <https://efoia.cce.af.mil/>.

Regards,

Air Force FOIA Requester Service Center

Status Update for Request #2024-02684-F

no-reply.daf.foia@us.af.mil <no-reply.daf.foia@us.af.mil>

Thu 2/29/2024 2:41 PM

To: OversightProject <OversightProject@heritage.org>

Dear Mike Howell,

The status of your FOIA request #2024-02684-F has been updated to the following status 'Received'. To log into the PAL Application click on the Application URL below.

<https://efoia.cce.af.mil/>

Sincerely,
Air Force FOIA Requester Service Center

EXHIBIT 5

From: [OversightProject](#)
To: [Samuel Dewey](#)
Subject: FW: Freedom of Information Act (FOIA) 2024-02613-F
Date: Friday, March 22, 2024 11:08:00 AM

From: 744 CS/SCPP FOIA-PA Manager <744.CS.SCPP.FOIA-PA.Manager@us.af.mil>
Sent: Friday, March 22, 2024 11:06 AM
To: OversightProject <OversightProject@heritage.org>
Cc: 744 CS/SCPP FOIA-PA Manager <744.CS.SCPP.FOIA-PA.Manager@us.af.mil>
Subject: Freedom of Information Act (FOIA) 2024-02613-F

Dear Mr. Howell,

This is in response to your Freedom of Information Act (FOIA) request dated 27-Feb-24, and assigned case number 2024-02613-F, where you seek the following:

Pursuant to the Freedom of Information Act, 5 U.S.C. § 552, and the implementing FOIA regulations of the Department of Defense, I respectfully request the following records regarding all medications dispensed on any aircraft designated with the call sign "Air Force One" from January 20, 2021 to February 27, 2024. (Date Range for Record Search: From 01/20/2021 To 02/27/2024)

Based on the information you have requested, we placed your request in the **Complex** processing track. A complex request can take substantial time and cause significant impact on responding units. Complications and delays are likely. Records sought are massive in volume. Multiple organizations must review/coordinate on requested records. Records are classified; originated with a nongovernment source; are part of the Air Force's decision-making process; or are privileged. We estimate we will provide a response to your request within 30 working days. Our policy is to process requests within their respective tracks in the order in which we receive them. FOIA requests are processed as quickly as possible. We will advise you if we cannot provide a response within the FOIA statutory timeline.

We have placed you in the **"Educational or Noncommercial Scientific Institution or News Media"** fee category for processing. Under this category, you may be charged for all duplication (paper) costs. The first 100 pages of duplication are furnished without charge.

You also have the option of accepting "clearly releasable" records. When accepting clearly releasable records, redactions will be applied in accordance with the principles of the Freedom of Information Act (FOIA) exemptions without the specific FOIA code listed. Acceptance of clearly releasable records will allow you to receive the information you are seeking quicker. Please advise of your decision to accept "clearly releasable" records by sending a response to the email address indicated below.

Your request for fee waiver is granted.

You may contact the Air Force FOIA Public Liaison Officer, Mr. Robert E. Bivins, concerning this final

response at Air Force FOIA Public Liaison Office, 1800 Air Force Pentagon, Washington, DC 20330-1800 or DAF.FOIA@us.af.mil or (703) 614-8500. You may also seek dispute resolution services from the Office of Government Information Services, and can find information on this Office at <https://www.archives.gov/ogis/mediation-program/request-assistance>. Using the dispute resolution services, will not affect your appeal rights.

Direct questions to 744.CS.SCPP.FOIA-PA.Manager@us.af.mil and reference the above FOIA case number.

V/R

Freedom of Information Act (FOIA) Office
Air Force District of Washington (AFDW)
Joint Base Andrews, MD
301-981-4088

EXHIBIT 6

From: [OversightProject](#)
To: [Brosnan, Kyle](#); [Samuel Dewey](#); [Neal Cornett \(neal@cornettlegal.com\)](#); [Max Matheu](#)
Subject: FW: Freedom of Information Act (FOIA) Requests Referred
Date: Tuesday, May 21, 2024 1:20:00 PM

Air force transferred the request

From: 744 CS/SCPP FOIA-PA Manager <744.CS.SCPP.FOIA-PA.Manager@us.af.mil>
Sent: Thursday, April 4, 2024 11:14 AM
To: OversightProject <OversightProject@heritage.org>
Cc: 744 CS/SCPP FOIA-PA Manager <744.CS.SCPP.FOIA-PA.Manager@us.af.mil>
Subject: Freedom of Information Act (FOIA) Requests Referred

Mr. Howell,

Good morning. This email is in regards to your FOIA Requests, 2024-02684-F and 2024-02613-F requesting the following:

“Pursuant to the Freedom of Information Act, 5 U.S.C. § 552, and the implementing FOIA regulations of the Department of Defense, I respectfully request the following records regarding all medications dispensed on any aircraft designated with the call sign “Air Force One” from January 20, 2021 to February 27, 2024. (Date Range for Record Search: From 01/20/2021 To 02/27/2024)”

“Pursuant to the Freedom of Information Act, 5 U.S.C. § 552, and the implementing FOIA regulations of the Department of Defense, I respectfully request the following records regarding only prescription medications dispensed on any aircraft designated with the call sign “Air Force One” on all of the below dates:

1. June 9-16, 2021
2. October 29-November 2, 2021
3. March 23-26, 2021
4. May 20-24, 2022
5. June 25-30, 2022
6. July 13-16, 2022
7. September 17-19, 2022
8. November 11-16, 2022
9. January 8-10, 2023
10. February 20-22, 2023
11. March 23-24, 2023
12. April 11-14, 2023
13. May 18-21, 2023
14. July 9-13, 2023
15. September 8-11, 2023
16. October 18, 2023 (Date Range for Record Search: From 06/09/2021 To 10/19/2023)”

The records that you requested do not fall within our release jurisdiction. Your requests have been referred to the Office of Management and Budget Request Service Center (RSC). This office will process your request and respond directly to you with any updates.

They can be reached at 202-395-3642 or OMBFOIA@omb.eop.gov.

FOIA Office
Office of Management and Budget
725 17th Street NW, Suite 9272
Washington, DC 20503
(202) 395-FOIA
(202) 395-3504 (fax)

V/R

Freedom of Information Act (FOIA) Office
Air Force District of Washington (AFDW)
Joint Base Andrews, MD
301-981-4088

EXHIBIT 7

Requester Details

To modify request details please update your requester profile or contact the our office for assistance.

Mr. Mike Howell
Director of the Oversight Project and Investigative Reporter for the Daily Signal
The Heritage Foundation/The Daily Signal
214 Massachusetts Ave NE
Washington, DC 20002
Phone 2023657033
oversightproject@heritage.org

Requester Default Category: News Media

Request Details

Date Requested	02/27/2024
Status	Closed

General Information

Visit <https://www.compliance.af.mil/Offices/ByBase.aspx> for a list of Requester Service Centers that may have your requested record(s) and then select from below.

Requester Service Center	Air Force District of Washing
Action Office Instructions	Air Force District of Washington, Bolling AFB/Andrews AFB
Request Type	FOIA
Requester Category	News Media
Delivery Mode	E-mail

Shipping/Billing Address

Address 1	214 Massachusetts Ave NE	Address 2	
City	Washington	State	District of Columbia
Country	United States	Zip Code	20002

Request Information

Provide detailed description of desired records. Do not state 'SEE ATTACHED' for description.

Description of Request	Pursuant to the Freedom of Information Act, 5 U.S.C. § 552, and the implementing FOIA regulations of the Department of Defense, I respectfully request the following records regarding all medications dispensed on		
Date Range for Record Search:	01/20/2021	To	02/27/2024
From(mm/dd/yyyy)		(mm/dd/yyyy)	

Description Document

 [Add Attachment](#)

Records Search Location

Select location that will most likely have the records you are seeking.

Location to be searched

-----Select----- 

Fee Information

Enter Amount Willing to Pay (\$)

25.00

The statutory fee waiver standard contains two basic requirements to waive or reduce FOIA processing fees: (1) if disclosure of the information is in the public interest because it is likely to contribute significantly to public understanding of the operation or activities of the government and (2) is not primarily in the commercial interest of the requester. Both of these statutory requirements must be satisfied before properly assessable fees are waived or reduced.

Fee Waiver Requested

☒  [Add Attachment](#)

Fee Waiver Granted

TBD

Fee Waiver Request Reason

Please see attached

Willing to Pay All Fees

☐

Expedite Information

Expedite Requested

☐  [Add Attachment](#)

There are four categories of requests eligible for expedited processing: (1) failure to obtain the records on an expedited basis could pose an imminent threat to life or physical safety of an individual; (2) the information is urgently needed by an individual primarily engaged in disseminating information in order to inform the public about actual or alleged Federal Government activity; (3) failure to obtain the records on an expedited basis could lead to an imminent loss of substantial due process rights, or (4) release would serve a humanitarian need by promoting the welfare and interests of mankind. The requester must satisfy one of these requirements before we grant expedited processing.

Expedite Request Reason

Information stored on this system is FOR OFFICIAL USE ONLY and will be protected in accordance with DoD Regulation 5400.7, Freedom of Information Act and Privacy Act of 1974 to include DoD Regulation 5400.11 and AFI 33-332. [Federal Register :: Privacy Act of 1974](#); [System of Records](#)

[Return to Air Force FOIA](#)

Requester Details

To modify request details please update your requester profile or contact the our office for assistance.

Mr. Mike Howell
Director of the Oversight Project and Investigative Reporter for the Daily Signal
The Heritage Foundation/The Daily Signal
214 Massachusetts Ave NE
Washington, DC 20002
Phone 2023657033
oversightproject@heritage.org

Requester Default Category: News Media

Request Details

Date Requested02/29/2024

StatusClosed

General Information

Visit <https://www.compliance.af.mil/Offices/ByBase.aspx> for a list of Requester Service Centers that may have your requested record(s) and then select from below.

Requester Service Center

Air Force District of Washing

Action Office Instructions

Air Force District of Washington, Bolling AFB/Andrews AFB

Request Type

FOIA

Requester Category

News Media

Delivery Mode

E-mail

Shipping/Billing Address

Address 1

214 Massachusetts Ave NE

Address 2

City

Washington

State

District of Columbia

Country

United States

Zip Code

20002

Request Information

[Provide detailed description of desired records.](#) **Do not state 'SEE ATTACHED' for description.**

Description of Request

Pursuant to the Freedom of Information Act, 5 U.S.C. § 552, and the implementing FOIA regulations of the Department of Defense, I respectfully request the following records regarding only prescription medications

Date Range for Record Search:

From(mm/dd/yyyy)

06/09/2021

To (mm/dd/yyyy)

10/19/2023

Description Document

 [Add Attachment](#)

Records Search Location

Select location that will most likely have the records you are seeking.

Location to be searched

-----Select-----

▼

Fee Information

Enter Amount Willing to Pay (\$)

25.00

The statutory fee waiver standard contains two basic requirements to waive or reduce FOIA processing fees: (1) if disclosure of the information is in the public interest because it is likely to contribute significantly to public understanding of the operation or activities of the government and (2) is not primarily in the commercial interest of the requester. Both of these statutory requirements must be satisfied before properly assessable fees are waived or reduced.

Fee Waiver Requested

☒  [Add Attachment](#)

Fee Waiver Granted

TBD

Fee Waiver Request Reason

please see attached

Willing to Pay All Fees

☐

Expedite Information

Expedite Requested

☐  [Add Attachment](#)

There are four categories of requests eligible for expedited processing: (1) failure to obtain the records on an expedited basis could pose an imminent threat to life or physical safety of an individual; (2) the information is urgently needed by an individual primarily engaged in disseminating information in order to inform the public about actual or alleged Federal Government activity; (3) failure to obtain the records on an expedited basis could lead to an imminent loss of substantial due process rights, or (4) release would serve a humanitarian need by promoting the welfare and interests of mankind. The requester must satisfy one of these requirements before we grant expedited processing.

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[Return to Air Force FOIA](#)

EXHIBIT 8

Fw: Freedom of Information Act (FOIA) Requests Referred

OversightProject <OversightProject@heritage.org>

Mon 7/8/2024 12:25 PM

To: OMBFOIA@omb.eop.gov <OMBFOIA@omb.eop.gov>

Hello,

I am writing to inquire about the status of these requests. We are unaware of any correspondence from OMB about these requests since they were transferred to OMB. Can you please provide an update?

Thank you

From: 744 CS/SCPP FOIA-PA Manager <744.CS.SCPP.FOIA-PA.Manager@us.af.mil>

Sent: Thursday, April 4, 2024 11:14 AM

To: OversightProject <OversightProject@heritage.org>

Cc: 744 CS/SCPP FOIA-PA Manager <744.CS.SCPP.FOIA-PA.Manager@us.af.mil>

Subject: Freedom of Information Act (FOIA) Requests Referred

Mr. Howell,

Good morning. This email is in regards to your FOIA Requests, 2024-02684-F and 2024-02613-F requesting the following:

“Pursuant to the Freedom of Information Act, 5 U.S.C. § 552, and the implementing FOIA regulations of the Department of Defense, I respectfully request the following records regarding all medications dispensed on any aircraft designated with the call sign “Air Force One” from January 20, 2021 to February 27, 2024. (Date Range for Record Search: From 01/20/2021 To 02/27/2024)”

“Pursuant to the Freedom of Information Act, 5 U.S.C. § 552, and the implementing FOIA regulations of the Department of Defense, I respectfully request the following records regarding only prescription medications dispensed on any aircraft designated with the call sign “Air Force One” on all of the below dates:

1. June 9-16, 2021
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3. March 23-26, 2021
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15. September 8-11, 2023
16. October 18, 2023 (Date Range for Record Search: From 06/09/2021 To 10/19/2023)”

The records that you requested do not fall within our release jurisdiction. Your requests have been referred to the Office of Management and Budget Request Service Center (RSC). This office will process your request and respond directly to you with any updates.

They can be reached at 202-395-3642 or OMBFOIA@omb.eop.gov.

FOIA Office
Office of Management and Budget

725 17th Street NW, Suite 9272
Washington, DC 20503
(202) 395-FOIA
(202) 395-3504 (fax)

V/R

Freedom of Information Act (FOIA) Office
Air Force District of Washington (AFDW)
Joint Base Andrews, MD
301-981-4088