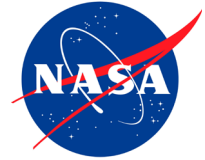


National Aeronautics and Space Administration



Headquarters

Washington, DC 20546-0001

August 29, 2023

Reply to attn. of: Office of Communications
History and Information Services Division

John Greenwald, Jr.
The Black Vault, Inc.
27305 W. Live Oak Rd., Suite 1203
Castaic, CA 91384-4520

Re: NASA FOIA Tracking Number **23-00706-F-HQ**

Dear Mr. Greenwald:

This is our final response to your Freedom of Information Act (FOIA) request to the National Aeronautics and Space Administration (NASA), dated July 22, 2023, and received in this office on July 24, 2023. Your request was assigned the above-referenced tracking number. You seek the following:

"A copy of all communications between NASA; and Congressman Tim Burchett (including his staff/office) and Congresswoman Anna Paulina Luna (including her staff/office) about a July 2023 hearing about Unidentified Aerial Phenomena.

I ask that you include all emails, letters, memos, faxes and other means of communications between all parties mentioned. Congressman Burchett has made reference to NASA "backing out" of their now scheduled July 26, 2023, hearing on UAP. This request, I would ask all forms of communication between the Congressman and Congresswoman, ALONG WITH, all internal emails regarding the same, be responsive to this request.

When it comes to internal correspondence (or even inter-agency, if applicable) I ask that all classified and unclassified records are searched. I also ask that you include any email attachments found during the search.

To further specify so documents could be located, NASA responded on Twitter to this allegation, and stated David Spergel was invited but declined. He, or the Congress(wo)man's office, likely communicated with Spergel and NASA's Office of Public Affairs to coordinate.

I also ask that you include all internal communications about the tweet sent out by NASA, regarding how they wanted to respond to the allegation made by Congressman Burchette. These records are also likely in the Office of Public Affairs, specifically the

person(s) who run NASA's Twitter account. Date Range for Record Search: From 03/01/2023 To 07/22/2023"

In response to your request, we conducted searches of NASA's Offices of Communications, Legislative and International Affairs, and the Chief Information Officer using the search terms provided in your request. The Offices of Legislative and International Affairs and the Chief Information Officer advised that they did not locate any responsive records pertaining to any communications between NASA and Congressman Tim Burchett or Congresswoman Anna Paulina Luna or their offices. The Office of Communications, however, did locate responsive records relating to the tweet that was released July 21, 2023. We reviewed those responsive records under the FOIA to determine whether they may be disclosed to you. Based on that review, this office is providing the following:

1 page(s) are released in full (RIF);¹
6 page(s) are released in part (RIP);

NASA redacted from the enclosed documents certain information pursuant to the following FOIA exemptions:

Exemption 5, 5 U.S.C. § 552(b)(5)

Exemption 5 protects "inter-agency or intra-agency memorandums or letters which would not be available by law to a party other than an agency in litigation with the agency."

5 U.S.C. § 552(b)(5). Courts interpret Exemption 5 to incorporate three primary privileges: the attorney work-product privilege, the attorney-client privilege and the deliberative process privilege. NASA invokes the deliberative process privilege.

The deliberative process privilege is intended to protect the decision-making process of government agencies and to encourage frank discussion of legal and policy issues. The scope of the privilege covers documents reflecting advisory opinions, recommendations, and deliberations comprising part of a process by which government decisions and policies are formulated. To qualify for the deliberative process privilege, a document must be both "pre-decisional" and "deliberative." Documents are pre-decisional when they precede an agency decision and are prepared in order to assist an agency in arriving at its decision. Documents are deliberative when they comprise part of the process by which government decisions are made. The types of information NASA withheld under this exemption consists of draft documents² and portions of emails containing analyses, recommendations and/or opinions expressed by employees. NASA considered the foreseeable harm that would result from the release of this information and determined that its release would hinder the decision-making process, create a chilling effect on internal deliberations, lead to uninformed decision-making, and public confusion. Please note that as a matter of administrative discretion, I released certain information falling under the umbrella of this exemption.

¹ All page counts are approximate numbers.

² The final version of the draft documents can be located online at <https://twitter.com/NASA/status/1682499768361054208>

Exemption 6, 5 U.S.C. § 552(b)(6)

Exemption 6 allows withholding of “personnel and medical files and *similar files* the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.” 5 U.S.C. § 552(b)(6)(emphasis added). NASA invokes exemption 6 to protect work cell phone numbers.

Fees

Provisions of the FOIA allow us to recover part of the cost of complying with your request. In this instance, because the cost is below the \$50 minimum, there is no charge.

Appeal

You have the right to appeal my action regarding your request. Your appeal must be received within 90 days of the date of this response. Please send your appeal to:

Administrator
NASA Headquarters
Executive Secretariat
ATTN: FOIA Appeals
MS 9R17
300 E Street S.W.
Washington, DC 20546

Both the envelope and letter of appeal should be clearly marked, “Appeal under the Freedom of Information Act.” You must also include a copy of your initial request, the adverse determination, and any other correspondence with the FOIA office. In order to expedite the appellate process and ensure full consideration of your appeal, your appeal should contain a brief statement of the reasons you believe this initial determination should be reversed. Additional information on submitting an appeal is set forth in the NASA FOIA regulations at 14 C.F.R. § 1206.700.

Assistance and Dispute Resolution Services

If you have any questions, please feel free to contact me at Alyssa.k.bias@nasa.gov or (202) 358-4664. For further assistance and to discuss any aspect of your request you may also contact:

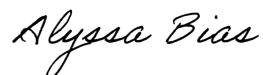
Stephanie Fox
Chief FOIA Public Liaison
Freedom of Information Act Office
NASA Headquarters
300 E Street, S.W., 5P32
Washington D.C. 20546
Phone: 202-358-1553

Email: Stephanie.K.Fox@nasa.gov

Additionally, you may contact the Office of Government Information Services (OGIS) at the National Archives and Records Administration to inquire about the FOIA mediation services it offers. The contact information for OGIS is as follows: Office of Government Information Services, National Archives and Records Administration, 8601 Adelphi Road-OGIS, College Park, Maryland 20740-6001, e-mail at ogis@nara.gov; telephone at 202-741-5770; toll free at 1-877-684-6448; or facsimile at 202-741-5769.

Important: Please note that contacting any agency official including myself, NASA's Chief FOIA Public Liaison, and/or OGIS is not an alternative to filing an administrative appeal and does not stop the 90 day appeal clock.

Sincerely,

A handwritten signature in cursive script that reads "Alyssa Bias".

Alyssa Bias
Government Information Specialist

This document is made available through the declassification efforts
and research of John Greenewald, Jr., creator of:

The Black Vault



The Black Vault is the largest online Freedom of Information Act (FOIA) document clearinghouse in the world. The research efforts here are responsible for the declassification of hundreds of thousands of pages released by the U.S. Government & Military.

Discover the Truth at: **<http://www.theblackvault.com>**

From: [Beutel, Allard \(HQ-NA020\)](#)
To: [Brown, Brittany A {she, her} \(HQ-NA060\)](#)
Subject: FW: Independent Study Tweets Question
Date: Friday, July 21, 2023 5:00:23 PM

FYI... I think Katherine R was working with Digital on the Tweetable version of this, but just in case:

From: Beutel, Allard (HQ-NA020) <allard.beutel@nasa.gov>
Sent: Friday, July 21, 2023 5:26 PM
To: Etkind, Marc R. (HQ-NA000) <marc.r.etkind@nasa.gov>; Hone, Marc (HQ-VA000) <marc.hone@nasa.gov>; Rohloff, Katherine A. (HQ-NA020) <katherine.a.rohloff@nasa.gov>; McGuinness, Jackie {she, her} (HQ-NA000) <jackie.mcguinness@nasa.gov>; Warner, Cheryl {she, her} (HQ-NA020) <cheryl.m.warner@nasa.gov>; Brown, Alicia N. (HQ-VA000) <alicia.n.brown@nasa.gov>
Subject: RE: Independent Study Tweets Question

Thank you, all... we'll use what's below to respond to media now.

"NASA was not requested to participate in the United States House Committee's hearing on UAP. David Spergel, president of the Simons Foundation and chair of NASA's UAP Independent Study, was invited, but declined to attend, since the work of the independent study team is not due to be completed until later in the coming weeks. The public report will contain a series of recommendations for NASA to better evaluate and categorize the nature of UAPs."

From: Etkind, Marc R. (HQ-NA000) <marc.r.etkind@nasa.gov>
Sent: Friday, July 21, 2023 3:55 PM
To: Hone, Marc (HQ-VA000) <marc.hone@nasa.gov>; Rohloff, Katherine A. (HQ-NA020) <katherine.a.rohloff@nasa.gov>; Beutel, Allard (HQ-NA020) <allard.beutel@nasa.gov>; McGuinness, Jackie {she, her} (HQ-NA000) <jackie.mcguinness@nasa.gov>; Warner, Cheryl {she, her} (HQ-NA020) <cheryl.m.warner@nasa.gov>; Brown, Alicia N. (HQ-VA000) <alicia.n.brown@nasa.gov>
Subject: Re: Independent Study Tweets Question

Give the question revolves around the house, will follow olia's lead.

From: "Hone, Marc (HQ-VA000)" <marc.hone@nasa.gov>
Subject: Independent Study Tweets Question
Date: 21 July 2023 15:14
To: "Rohloff, Katherine A. (HQ-NA020)" <katherine.a.rohloff@nasa.gov>, "Beutel, Allard (HQ-NA020)" <allard.beutel@nasa.gov>, "Etkind, Marc R. (HQ-NA000)" <marc.r.etkind@nasa.gov>, "McGuinness, Jackie {she, her} (HQ-NA000)" <jackie.mcguinness@nasa.gov>, "Warner, Cheryl {she, her} (HQ-NA020)" <cheryl.m.warner@nasa.gov>, "Brown, Alicia N. (HQ-VA000)" <alicia.n.brown@nasa.gov>

Proposed edits below:

(b)(5)

We are good with those edits.

Marc



Marc Hone
**Deputy Associate Administrator for Legislative
and Intergovernmental Affairs**
NASA Headquarters
300 E Street SW
Washington D.C. 20546
(O) (202) 358-4639
(C) (b) (6)
Marc.Hone@nasa.gov

From: Rohloff, Katherine A. (HQ-NA020) <katherine.a.rohloff@nasa.gov>
Sent: Friday, July 21, 2023 3:08 PM
To: Beutel, Allard (HQ-NA020) <allard.beutel@nasa.gov>; Etkind, Marc R. (HQ-NA000) <marc.r.etkind@nasa.gov>; McGuinness, Jackie {she, her} (HQ-NA000) <jackie.mcguinness@nasa.gov>; Warner, Cheryl {she, her} (HQ-NA020) <cheryl.m.warner@nasa.gov>; Brown, Alicia N. (HQ-VA000) <alicia.n.brown@nasa.gov>; Hone, Marc (HQ-VA000) <marc.hone@nasa.gov>; Hone, Marc (HQ-VA000) <marc.hone@nasa.gov>
Subject: RE: Independent Study Tweets Question

Thanks Allard! Looping Marc Hone in too from the other email chain. Marc, this statement is slightly adjusted, but is similar to the original one. Do you have any concerns?

This would be attributed to Dan Evans:

(b)(5)

Thank you,
Katherine

Katherine Rohloff
Press Secretary | Science Mission Directorate
Office of Communications | NASA Headquarters
C: (b) (6)

From: Beutel, Allard (HQ-NA020) <allard.beutel@nasa.gov>
Sent: Friday, July 21, 2023 3:03 PM
To: Rohloff, Katherine A. (HQ-NA020) <katherine.a.rohloff@nasa.gov>; Etkind, Marc R. (HQ-NA000) <marc.r.etkind@nasa.gov>; McGuinness, Jackie {she, her} (HQ-NA000) <jackie.mcguinness@nasa.gov>; Warner, Cheryl {she, her} (HQ-NA020) <cheryl.m.warner@nasa.gov>; Brown, Alicia N. (HQ-VA000) <alicia.n.brown@nasa.gov>
Subject: RE: Independent Study Tweets Question

Thanks, Katherine, the updated version works for me, if OLIA and Marc and Jackie also are good.

From: Rohloff, Katherine A. (HQ-NA020) <katherine.a.rohloff@nasa.gov>
Sent: Friday, July 21, 2023 2:59 PM
To: Etkind, Marc R. (HQ-NA000) <marc.r.etkind@nasa.gov>; McGuinness, Jackie {she, her} (HQ-NA000) <jackie.mcguinness@nasa.gov>; Beutel, Allard (HQ-NA020) <allard.beutel@nasa.gov>; Warner, Cheryl {she, her} (HQ-NA020) <cheryl.m.warner@nasa.gov>; Brown, Alicia N. (HQ-VA000) <alicia.n.brown@nasa.gov>
Subject: FW: Independent Study Tweets Question

Hi all,

Looping in both email chains into this one. I have provided a draft statement below given the background from Dan. Please let me know of any concerns.

Thank you,
Katherine

Katherine Rohloff
Press Secretary | Science Mission Directorate
Office of Communications | NASA Headquarters
C: (b) (6)

From: Rohloff, Katherine A. (HQ-NA020)
Sent: Friday, July 21, 2023 2:56 PM
To: Beutel, Allard (HQ-NA020) <allard.beutel@nasa.gov>; Warner, Cheryl {she, her} (HQ-NA020) <cheryl.m.warner@nasa.gov>
Subject: RE: Independent Study Tweets Question

Hi Allard,

I just spoke with Dan, he had some suggested changes that are similar to your

statement and can attribute this statement to him. Does this work:

(b)(5)



The social media one looks good! I will let the team know to link the FAQs page. If the above looks good, I will send it to OLIA.

Thank you!
Katherine

Katherine Rohloff
Press Secretary | Science Mission Directorate
Office of Communications | NASA Headquarters
C: (b) (6)

From: Beutel, Allard (HQ-NA020) <allard.beutel@nasa.gov>
Sent: Friday, July 21, 2023 2:49 PM
To: Rohloff, Katherine A. (HQ-NA020) <katherine.a.rohloff@nasa.gov>; Warner, Cheryl {she, her} (HQ-NA020) <cheryl.m.warner@nasa.gov>
Subject: RE: Independent Study Tweets Question

Afternoon, Katherine. I JUST received an email from Chris Cuomo's program producer asking about this... why did we back out, etc. So, I think we need to clarify a bit for the media questions. Does this work for the media response?

(b)(5)



For social how about this (b) (5)

(b) (5)



(b)(5)



From: Rohloff, Katherine A. (HQ-NA020) <katherine.a.rohloff@nasa.gov>
Sent: Friday, July 21, 2023 2:25 PM

To: Warner, Cheryl {she, her} (HQ-NA020) <cheryl.m.warner@nasa.gov>; Beutel, Allard (HQ-NA020) <allard.beutel@nasa.gov>

Subject: Independent Study Tweets Question

Hi Cheryl and Allard,

The NASA Social Team has been receiving tweets similar to this one regarding NASA and the independent study:

<https://twitter.com/HeyLukOverThere/status/1682121467570339840>

Dan told me that NASA was not invited, but David Spergel, chair of the study was. He declined to attend until our report is released.

My suggested response for the social team is along the lines of: "(b) (5)

(b) (5)

Please let me know if you have any concerns.

Thank you,

Katherine

Katherine Rohloff
Press Secretary | Science Mission Directorate
Office of Communications | NASA Headquarters

C: (b) (6)



Maldonado, Melanie L. (HQ-NG000)[MORI ASSOCIATES INC] 7/21 6:57 AM

Hi Stephanie, were you able to track down an answer for the UAP questions we received yesterday?



Brown, Brittany A (she, her) (HQ-NA060) 7/21 8:52 AM Edited

Hi! The PAOs did not reply to Steph's chat yesterday requesting assistance answering this question

(b)(6)

I just pinged again and they will get back to us



Maldonado, Melanie L. (HQ-NG000)[MORI ASSOCIATES INC] 7/21 8:57 AM

Great, thank you Brittany!



Brown, Brittany A (she, her) (HQ-NA060) 7/21 1:30 PM

Maldonado, Melanie L. (HQ-NG000)[MORI ASSOCIATES INC]

This is what I received from PAOs.

Please take the wording from it that you see is best fit and link our FAQs page: <https://science.nasa.gov/uap/faqs>. We are attributing the statement to Dan Evans to the media

"NASA was not requested to participate in the United States House Committee's hearing on UAP. David Spergel, president of the Simons Foundation and chair of NASA's UAP Independent Study, was invited but declined to attend, since the work of the independent study team is not due to be completed until later in the coming weeks. The report will contain a series of recommendations for NASA to better evaluate and categorize the nature of UAPs."

[See less](#)



UAP FAQs | Science Mission Directorate

NASA Unidentified Anomalous Phenomena Study Frequently Asked Questions

science.nasa.gov



Maldonado, Melanie L. (HQ-NG000)[MORI ASSOCIATES INC] 7/21 2:12 PM

I had to shorten it quite a bit due to the character limit, let me know what you think: (b)(5)

(b)(5)

(b)(5)

Learn more here: go.nasa.gov/3K7Tlkn



UAP FAQs | Science Mission Directorate

NASA Unidentified Anomalous Phenomena Study Frequently Asked Questions

go.nasa.gov



SMITH, STEPHANIE L (she, her) (HQ-NA060) 7/21 2:12 PM

Post it natively and you won't be capped on the character limit

Since we have the Twitter verified beta, we can post longer answers on Twitter itself than on Sprinklr

In this case, I don't want to edit the UAP team's response



Maldonado, Melanie L. (HQ-NG000)[MORI ASSOCIATES INC] 7/21 2:13 PM

oh great! Thanks. I'll keep as is then.



Thursday



SMITH, STEPHANIE L. (she, her) (HQ-NA060) Thursday 4:34 PM

We had a UAP question come in on the thread about the climate roundtable currently happening. Can I get a little help answering this?

(b)(6)

Why did you back out of the July 26th House Oversight Committee Hearing on UAP's? This is an opportunity to be transparent with the American people. Thank you for your answer and I continue to look forward to your parallel investigation on UAP's.

@NASA



Friday

Friday 11:49 AM

Hi, there! Rohloff, Katherine A. (HQ-NA020) can you possibly assist us with a response to this question? ^



Rohloff, Katherine A. (HQ-NA020) Friday 11:54 AM

Sorry! Missed this! Thanks for flagging. I don't know the answer to this question and Dan is out of town, so I will flag this for Cheryl and Allard and get back to you asap

Friday 11:56 AM

Much appreciated!



SMITH, STEPHANIE L. (she, her) (HQ-NA060) Friday 1:16 PM

Thanks much. We're starting to get more, too (b)(6)



Rohloff, Katherine A. (HQ-NA020) Friday 3:45 PM Edited

Just waiting for Marc to approve our media statement - I will send it here asap



Rohloff, Katherine A. (HQ-NA020) Friday 4:28 PM

Here's our media statement, approved by OLIA and Marc. Please take the wording from it that you see is best fit and link our FAQs page: <https://science.nasa.gov/uap/faqs>. We are attributing the statement to Dan Evans to the media

"NASA was not requested to participate in the United States House Committee's hearing on UAP. David Spergel, president of the Simons Foundation and chair of NASA's UAP Independent Study, was invited but declined to attend, since the work of the independent study team is not due to be completed until later in the coming weeks. The report will contain a series of recommendations for NASA to better evaluate and categorize the nature of UAPs."



Thanks!

Friday 4:29 PM

Thank you!