

**FRANK BURNS, MEMBER**  
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**House of Representatives**  
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July 13, 2023

U.S. Senator John Fetterman  
Russell Senate Office Building, Suite 142  
Washington, D.C. 20510

**RE: HUD compliance with federal Freedom of Information Act**

Dear Senator Fetterman:

Three months ago, I made a federal Freedom of Information Act request to HUD's Philadelphia office for documents and communication exchanged between the Johnstown Housing Authority, HUD's Pittsburgh Field Office and/or HUD's Region III Office in Philadelphia, concerning the Prospect public housing complex in Cambria County. It was assigned case # 23-FI-RO3-01214.

Instead of compliance within the 20-working-days time period required under the FOIA law, what I've gotten since then is a runaround that no citizen should have to endure – starting with a request for clarification of what is a pretty clear request.

As elected officials, I'm sure you will agree with me that follies such as this have no place in good government. I am asking you to investigate this to make sure HUD sharpens its required compliance with FOIA requests, so this doesn't happen again -- to anyone.

Since sending my request, a copy of which is attached to this letter, along with a copy of the certified mail receipt from April 21, this saga has included:

- ✓ A telephone call from HUD Philadelphia regional official Lisa Nowinski to my Johnstown office on May 3, saying she had only received the request May 2 (11 days after it was mailed) and asking for clarification of the request, which was provided May 4.
- ✓ A June 13 email to Nowinski from my staff, stating that six weeks had elapsed since Nowinski acknowledged receiving the request – and noting that “according to the FOIA, a government agency has 20 working days to respond to a request for information. Which – accounting for the May 29 Memorial Day holiday – would have been up on May 31 in Rep. Burns' case.”

- ✓ A June 13 reply email from Nowinski stating, "It has been assigned to the Pittsburgh Field Office for processing."
- ✓ A June 27 email from Nowinski stating, "The final response to this FOIA request was just sent out."
- ✓ A July 11 email from my district office director to Nowinski, stating, "We have not received any correspondence in an email or from the post office. We were hoping you could tell us who this was sent to and when?"
- ✓ A July 11 reply email from HUD Deputy Regional Administrator Robert Ford, stating, "I will meet with the regional FOIA team to see where we are with this request. Please be assured that we take every request seriously. You will hear from me shortly."

Your attention to this matter would be greatly appreciated.

Sincerely,

A handwritten signature in black ink that reads "Frank Burns". The signature is written in a cursive style with a large, prominent "F" and "B".

Frank Burns  
State Representative  
72<sup>nd</sup> Legislative District