

# Exhibit B



DEPARTMENT OF HEALTH & HUMAN SERVICES

Office of the Secretary

Assistant Secretary for Public Affairs  
Washington, D.C. 20201

Refer to: Request Number **2023-00122-FOPA-OS**

**August 22, 2023**

***Sent via email:***

Aaron Siri  
Siri & Glimstad LLP  
745 Fifth Ave.  
Suite 500  
New York, NY 10151  
foia@sirillp.com

Dear Aaron Siri:

This acknowledges receipt of your August 18, 2023, Freedom of Information Act (FOIA) request, submitted to the Department of Health and Human Services (HHS), FOI/Privacy Acts Division concerning “[IR#1050B] (1) All communications concerning the destruction of the records on Grant Number R18 HS017045 awarded to Principal Investigator Ross Lazarus from Harvard Pilgrim Health Care, Inc. by the Agency for Healthcare Research and Quality in Department of Health and Human Services (the “Grant”) by AHRQ and NARA; and

(2) A copy of the “General Records Retention Schedule” referenced in the final response in Case No. 2023-00790-FOIA-PHS (“The Agency for Healthcare Research and Quality conducted a search and reports there are no records responsive to your request. All records on this grant were authorized by AHRQ to be destroyed by the National Archives and Records Administration (NARA) in accordance with the General Records Retention Schedule.”)”. We received your request on August 21, 2023.

Because you seek records which require a search in another office, “unusual circumstances” apply to your request, automatically extending the time limit to respond to your request for ten additional days. See 5 U.S.C. 552 § (a)(6)(B)(i)-(iii) (2012 & Supp. V. 2017). Further, we estimate needing more than 10 additional days to respond to your request and so, in the next paragraph of this letter we are offering you an opportunity to narrow your request, in case narrowing the request would enable us to respond to the request sooner. The actual time needed to process your request will depend on the complexity of our records search and on the volume and complexity of any material located. For your information, this Office assigns incoming requests to one of three tracks: simple, complex, or expedited. Each request is then handled on a first-in, first-out basis in relation to other requests in the same track. Our current workload is approximately 3000 cases.

Your request is assigned to the complex track. In an effort to speed up our records search, you may wish to narrow the scope of your request to limit the number of potentially responsive records or agree to an alternative time frame for processing, should records be located. You may also wish to await the completion of our records search to discuss either of these options.

I regret the necessity of this delay, but I assure you that your request will be processed as soon as possible. If you have any questions or wish to discuss reformulation or an alternative time frame for the processing of your request, you may contact the HHS FOIA office via email at [foiarequest@hhs.gov](mailto:foiarequest@hhs.gov).

If you are not satisfied with any aspect of the processing and handling of this request, you have the right to seek dispute resolution services from:  
HHS FOIA/PA Public Liaison, FOI/Privacy Acts Division, Assistant Secretary for Public Affairs (ASPA), Office of the Secretary (OS), U.S. Department of Health and Human Services (HHS)  
Telephone: (202) 690-7453, E-mail: [HHS\\_FOIA\\_Public\\_Liaison@hhs.gov](mailto:HHS_FOIA_Public_Liaison@hhs.gov)

and/or:

Office of Government Information Services, National Archives and Records Administration  
Telephone: 202- 741-5770; Toll-Free: 1-877-684-6448, E-mail: [ogis@nara.gov](mailto:ogis@nara.gov)

If you are not already submitting your requests through our Public Access Link (PAL), we recommend all future requests and appeals be submitted through PAL - <https://requests.publiclink.hhs.gov/>. Submitting requests through PAL automatically logs your requests into our tracking system and provides you with a tracking number. Your PAL account will allow you to track the progress of your request, receive your documents directly through the portal, and securely submit privacy-sensitive or business-sensitive documents.

Sincerely yours,



Arianne Perkins  
Director, Initial FOIA Requests  
FOI/Privacy Acts Division