

# **Exhibit B**



Refer to: Request Number **2017-00451-FOIA-OS**

**March 2, 2017**

Ian Bassin  
Executive Director  
The Protect Democracy Project  
P.O. Box 170521  
Brooklyn, NY 11217

Dear Mr. Bassin:

This acknowledges receipt of your **February 15, 2017**, Freedom of Information Act (FOIA) request, submitted to the Department of Health and Human Services (HHS), FOI/Privacy Acts Division. Specifically, you requested:

- “1. Any and all records created or transmitted between November 9, 2016 and the present date by or between Department of Health and Human Services (HHS) employees regarding or including Presidential Transition Team questionnaires about or referring to the "Affordable Care Act," the "ACA," or "Obamacare" including but not limited to communications between, from, or concerning the following individuals:

Donald Trump, Stephen Bannon, Reince Priebus, Stephen Miller, Kellyanne Conway, Sean Spicer, Michael Pence, Jared Kushner, Andrew Bremberg, Paula Stannard, Scott Gottlieb, Eric Hargan, Nina Owcharenko Schaefer, Tom Price, Renee Arnoore, John Brooks, Kamran Daravi, Ed Haislmaier, Manuel Iglesias, Demetrios Kouzoukas, Patrick Lawler, Marie Meszaros, and Maggie Wynne.
2. Any and all records created or transmitted between November 9, 2016 and the present date by or between HHS employees regarding or including Presidential Transition Team questionnaires about or referring to the abortion policy and/or staff working on abortion or birth control policy including but not limited to communications between, from, or concerning the following individuals:

Donald Trump, Stephen Bannon, Reince Priebus, Stephen Miller, Kellyanne Conway, Sean Spicer, Michael Pence, Jared Kushner, Andrew Bremberg, Paula Stannard, Scott Gottlieb, Eric Hargan, Nina Owcharenko Schaefer, Tom Price, Renee Amoore, John Brooks, Kamran Daravi, Ed Haislmaier, Manuel Iglesias, Demetrios Kouzoukas, Patrick Lawler, Marie Meszaros, and Maggie Wynne.
3. Any and all records created or transmitted between November 9, 2016 and the present date by or between HHS employees regarding or including personnel or assignment changes within the agency including but not limited to communications between, from, or concerning the following individuals:

Donald Trump, Stephen Bannon, Reince Priebus, Stephen Miller, Kellyanne Conway, Sean Spicer, Michael Pence, Jared Kushner, Andrew Bremberg, Paula Stannard, Scott Gottlieb, Eric Hargan, Nina Owcharenko Schaefer, Tom Price, Renee Amoore, John Brooks, Kamran Daravi, Ed Haislmaier, Manuel Iglesias, Demetrios Kouzoukas, Patrick Lawler, Marie Meszaros, and Maggie Wynne.”

We received your request on **February 28, 2017**.

We have initiated a search to locate records falling within the scope of your request. If our searching units advise us that you have requested a voluminous amount of records that require extensive search and examination, my staff will contact you shortly to discuss your willingness to modify your request.

The FOIA requires that we respond to your request within 20 working days of its receipt in this office. Please note the following unusual and exceptional circumstances that will impact our response time: (1) we will need to search for and collect records from components and/or field offices external to this office; and (2) because we receive a very heavy volume of FOIA requests, we will process your request in line with our established policy of "first in, first out" case processing. If either of these circumstances prevents our office from responding within the 20 working day timeframe, we will utilize a 10 working day extension to process your request, as permitted pursuant to the FOIA. This policy is consistent with court decisions regarding FOIA's time limits.

Your request for a fee waiver is granted.

Please note the following:

If you believe that we should expedite the processing of your request because the requested records are needed in light of a compelling need; i.e., an imminent threat to the life and safety of an individual; an urgency to inform the public concerning government activity (provided you are a member of the media); a deadline in litigation; a deadline for commenting on proposed regulations; or other urgent matters, you must ask for expedited processing in writing and provide to this office as much relevant information as possible. In line with 5 U.S.C. § 552(a)(6)(E)(vi), you must demonstrate the compelling need in a statement certified to be true and correct to the best of your knowledge and belief. Attach any supporting documentation to your statement, including a court scheduling order if your request is based upon a litigation deadline. (Fax supporting documentation to the FOIA/PA Division at (202) 690-8320).

When submitting this additional information, please refer to the case number listed at the top left-hand corner of this letter, and send it to:

FOI/Privacy Acts Division  
U.S. Department of Health and Human Services  
200 Independence Avenue S.W.  
Room 729H  
Washington, DC 20201

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:

Michael Bell  
HHS FOIA Public Liaison  
U.S. Department of Health and Human Services  
Office of the Assistant Secretary for Public Affairs  
Room 729H  
200 Independence Avenue, S.W.  
Washington, DC 20201

Telephone: (202) 260-0793  
E-mail: [HHS\\_FOIA\\_Public\\_Liaison@hhs.gov](mailto:HHS_FOIA_Public_Liaison@hhs.gov)

and/or:

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

Telephone: 202-741-5770  
Toll-Free: 1-877-684-6448  
E-mail: [ogis@nara.gov](mailto:ogis@nara.gov)  
Fax: 202-741-5769

Any questions regarding the status of this request should be directed to our office at 202-690-7453.

Sincerely yours,

A handwritten signature in black ink, appearing to read "M. S. Marquis", with a stylized flourish at the end.

Michael S. Marquis  
Director  
FOI/Privacy Acts Division