

EXHIBIT C

From: American Oversight FOIA foia@americanoversight.org
Subject: Re: FOIA Request # 2018-00802-FOIA-OS
Date: April 5, 2018 at 11:55 AM
To: garfield.daley@hhs.gov



Mr. Daley,

Thank you for your correspondence regarding our FOIA requests. This email responds to your correspondence about requests 2018-00802-FOIA-OS and 2018-00801-FOIA-OS.

As an initial matter, we disagree that our request is overbroad. We believe that HHS is in the best position to know which HHS employees are most likely to have engaged in the communications at issue in our FOIA requests. HHS need only search the files of those people or places “likely to contain responsive records,” not all 55,000 HHS employees.

However, in an effort to assist HHS in the processing of these requests, we can offer the following clarification:

2018-00802-FOIA-OS: For context, we can offer the explanation that Hager Sharp, according to a report by Politico, is under contract to manage the womenshealth.gov website. So the search should include all individuals or offices involved in the management of that website. At a minimum, we believe the search should include at least the following offices: the Office on Women’s Health, the Office of the Assistant Secretary for Public Affairs, the Office of the Secretary, the Office of the Assistant Secretary for Health, and the office of the Assistant Secretary for Administration. But if HHS is aware that anyone else was likely involved in managing the womenshealth.gov website, their files should be searched as well.

2018-00801-FOIA-OS: I do not believe we can offer any additional clarification beyond what we already provided in our initial FOIA request. We listed there a set of offices where we believe the individuals most likely to contain responsive records would be. But again, if HHS is aware that anyone else was likely involved in managing the womenshealth.gov website, their files should be searched as well.

I also wanted to confirm that for request 2018-00800-FOIA-OS, the list of four names included in our FOIA request was not meant to be an exhaustive list. We believe there may have been at least one other person who has since left HHS who was likely involved, but do not have that person’s name. So again, we are relying on HHS—which is actually in a position to know who in OWH worked on the website—to identify other relevant custodians.

Thank you. Please let me know if we can be of any more assistance.

Sara Kaiser Creighton
Counsel
American Oversight
foia@americanoversight.org | 202-869-5245
www.americanoversight.org | @weareoversight

On Apr 2, 2018, at 1:07 PM, garfield.daley@hhs.gov wrote:

RE: FOIA Request # **2018-00802-FOIA-OS**

April 02, 2018

Dear Mr. Austin Evers,

Attached is the acknowledgment letter to your request.

Sincerely,

Garfield Daley<HHS FOIA Request -Acknowledgement Letter1.Docx>