



March 29, 2019

Freedom of Information Officer
Department of Health and Human Services
Office of the Secretary
Hubert H. Humphrey Building, Room 729H
200 Independence Avenue, SW
Washington, D.C., 20201

Re: Freedom of Information Act Request

Dear FOIA Officer:

Pursuant to the Freedom of Information Act, Equity Forward requests access to and copies of the following records dated from January 21, 2017 until the date this request is fulfilled:

Records Requested

1. Correspondence between the following parties and HHS regarding the Title X Program.
2. A copy of any records that include the scores given to each application submitted in response to Funding Opportunity Number PA-FPH-19-001.
3. A copy of any records that include the names of members of the independent review panels tasked with evaluating applications submitted in response to Funding Opportunity Number PA-FPH-19-001.
4. A copy of all records that include the reviewers' scores, scoring decisions, or comments related to applications submitted in response to Funding Opportunity Number PA-FPH-19-001.
5. A copy of all records, except for applications but including scoring criteria and guidance, given to members of the independent review panels tasked with evaluating applications submitted in response to Funding Opportunity Number PA-FPH-19-001.

Parties

1. Missouri Department of Health and Senior Services
2. Utah Department of Health
3. Arizona Department of Health
4. Iowa Department of Public Health
5. North Dakota Department of Health
6. Pennsylvania Department of Human Services
7. Texas Health and Human Services Commission
8. Hawaii Department of Health
9. Idaho Department of Health and Welfare
10. Wisconsin Department of Health Services

11. Minnesota Department of Health
12. Indiana Department of Health
13. Alaska Department of Health and Social Services
14. Arizona Family Health Partnership
15. Essential Access Health
16. The Obria Group, Inc
17. Colorado Department of Public Health and Environment
18. Cornell Scott-Hill Health Corporation
19. Delaware Health and Social Services Department
20. The Florida Department of Health
21. Primary Care Medical Services of Poinciana, Inc.
22. Community Health Centers of Pinellas, Inc.
23. The Family Health Centers Of Georgia, Inc.
24. Neighborhood Improvement Project, Inc.
25. Aunt Martha's Health and Wellness
26. Family Planning Council of Iowa
27. Kansas Department of Health and Environment
28. Kentucky Cabinet for Health and Family Services
29. Louisiana Department of Health
30. Family Planning Association of Maine, Inc.
31. Community Clinic Inc.
32. Maryland Department of Health
33. Action for Boston Community Development, Inc.
34. Massachusetts Department of Public Health
35. Health Imperatives, Inc
36. Ramsey County
37. Mississippi State Department of Health
38. Missouri Family Health Council, Inc
39. Family Planning Council of Nebraska
40. City of Carson City DBA Carson City Health and Human Services
41. Nevada Primary Care Association
42. Washoe County Health District
43. Southern Nevada Health District
44. State of Nevada Division of Public and Behavioral Health
45. New Hampshire Department of Health and Human Services
46. New Jersey Family Planning League, Inc.
47. New Mexico Department of Health
48. Public Health Solutions
49. New York State Department of Health
50. Alabama Department of Public Health
51. The Floating Hospital, Inc
52. Beacon Christian Community Health Center
53. North Carolina Department of Health Services
54. North Dakota Department of Health
55. Ohio Department of Health
56. Community Health Connection, Inc.
57. Oklahoma State Department of Health
58. Caring Hands Healthcare Centers, Inc.
59. Oregon Health Authority
60. Adagio Health, Inc.

61. Family Health Council of Central Pennsylvania, Inc
62. AccessMatters
63. Maternal and Family Health Services, Inc.
64. Rhode Island Department of Health
65. South Carolina Department of Health and Environmental Control
66. South Dakota Department of Health
67. Tennessee Department of Health
68. City of El Paso
69. Women's Health And Family Planning Association of Texas
70. Vermont Agency of Human Services
71. Virginia Department of Health
72. Washington State Department of Health
73. West Virginia Department of Health and Human Resources
74. Commonwealth Healthcare Corporation
75. American Samoa Medical Center Authority
76. Guam Department of Public Health and Social Services
77. Palau Ministry of Health
78. University of Puerto Rico Medical Sciences Campus
79. Family Planning Association of Puerto Rico
80. RMI Family Planning Services
81. Virgin Island Department of Health Groups

“Correspondence” should include but not be limited to: emails, email attachments, text messages, telephone call logs, calendar invitations/entries, meeting notices, meeting agendas, informational material, talking points, any handwritten or electronic notes taken during any responsive communications, summaries of any responsive communications, or other materials reflecting communications sent to, from or carbon copying (CC) all relevant individuals.

Fee Waiver Request

Equity Forward requests a waiver of fees because disclosure of the requested information is in the public interest because it is likely to contribute significantly to public understanding of government operations and is not primarily in the commercial interest of the requester. The disclosure of the information sought under this request will document and reveal the operations of the government, including how public funds are spent and how officials conduct the public's business.

The Title X program is currently matter of intense public debate. In January 2019 the Daily Wire reported that a bill was introduced into the senate to exclude abortion providers from receiving Title X funds¹, the same month the Winston-Salem Journal reported that near identical bill was introduced in the House.² On January 13th, 2019 a federal judge blocked proposed rules which would grant moral and religious exemptions to organizations receiving Title X funds by the

¹ [Sen. Marsha Blackburn's First Senate Bill Could Defund Planned Parenthood](#), Daily Wire; 01/14/2019

² [Bill that would defund Planned Parenthood and other abortion providers introduced by Rep. Virginia Foxx](#), Winston-Salem Journal; 01/09/2019.

Trump administration in 13 states and DC as reported by the USA Today³, ThinkProgress⁴, and others. On January 14th a different federal judge blocked the rules nationwide.⁵ Analysis of that rule, and lawsuits challenging that change, have received significant press coverage including by CNN⁶, NPR⁷, The New York Times⁸, and others. This demonstrates a clear public interest in the upcoming release of Title X funds.

This request is for non-commercial purposes. As a project of a 501(c)(3) organization, Equity Forward does not have a commercial purpose, and the release of the information requested is not in Equity Forward's financial interest. Equity Forward will use the information gathered through this request to educate the public through reports, press releases, or other media. Accordingly, Equity Forward qualifies for a fee waiver.

Conclusion

If my request is denied in whole or part, I ask that you justify all deletions by reference to specific exemptions of the law. Additionally, if any documents are withheld based on the Department's interpretation of any exemption, I request that you provide an index of all denied documents. Please also inform me if costs associated with this request will exceed \$200.

If possible, I would prefer to receive this information electronically via e-mail at macarter@equityfwd.org. If you have questions or need additional information, please feel free to call me at (678) 827-1731.

Thank you for your assistance.

Sincerely,



Mary Alice Carter
Executive Director, Equity Forward

³ [Federal judge in California blocks Trump birth control coverage rules in 13 states, DC](#), USA Today; 01/13/2019.

⁴ [Federal judge blocks Trump's rollback of birth control mandate in 13 states and D.C.](#), ThinkProgress; 01/13/2019.

⁵ [A Pennsylvania Court Blocked Trump's Birth Control Rules Across The US — Again](#), BuzzFeed; 01/14/2019

⁶ [22 states sue over Trump administration changes to Title X family planning program](#), CNN; 3/06/2019

⁷ [Trump's Overhaul Of Federal Family Planning Program Faces Multiple Lawsuits](#), NPR; 3/06/2019

⁸ [California Sues Trump Administration To Block Restrictions To Family Planning Program](#), New York Times; 3/04/2019