



To efficiently correspond with the HRSA FOIA Office during the COVID-19 public health emergency, we request that you communicate with us by email at FOIA@hrsa.gov or by telephone at 301-443-2865.

If you do not have access to email or choose not to use it, you can continue to send correspondence to the FOIA Office mailing address provided in this letter. However, this correspondence may be significantly delayed due to the COVID-19 pandemic.

April 7, 2022

Sent via Email

Reed Rubinstein
America First Legal Foundation
611 Pennsylvania Avenue SE #231
Washington, DC 20003
foia@aflegal.org

Dear Reed Rubinstein:

This letter acknowledges receipt of your Freedom of Information Act (FOIA) request which was forwarded to, and received by, this office on March 31, 2022. Your request has been assigned case number 22F166. In summary, you are requesting copies of the agency's Equity Assessment and its Equity Action Plan as required by Executive Order 13985 and submitted in 2021 and 2022.

Please note that the records you seek are maintained outside of this office and our staff has not yet been able to complete a search to determine whether the Health Resources and Services Administration (HRSA) possesses records that are responsive to your request. Accordingly, we may be unable to comply with the 20 working-day time limit in this case, as well as the 10 additional days provided by the statute.

The actual processing time will depend on the complexity of your request and whether it involves sensitive records, voluminous records, extensive search, and/or consultation with other U.S. Department of Health and Human Services (HHS) components or other agencies. We anticipate responding to your request by the close of business on May 19, 2022.

The FOIA and HHS's FOIA regulations allow agencies to recover part of the costs of processing FOIA requests. You have been classified in the following manner:

- ☐ Category 1 – Commercial Use Requester. Category 1 requesters are charged for search time, documents review, and duplication.
- ☒ Category 2 – Media, Educational, and Scientific Requester. Category 2 requesters are charged for duplication only after the first 100 pages.
- ☐ Category 3 – Other Requester. Category 3 requesters are charged for search time (after 2 hours) and duplication (after 100 pages).

In all cases, if the total fee does not exceed \$25.00, we will not charge any fee. Included in your request was a request for a waiver of fees. The basis for your request was that the information was in the public interest and would contribute significantly to the public's understanding of the government's operations and/or activities. You further stated that your organization is a non-profit and had no commercial interest in the information. We have reviewed your request and in light of the information provided and the guidance found in 45 CFR 5 § 5.54, we approve your request for a waiver of fees.

The FOIA and HHS's FOIA regulations are available at the following web addresses:

- FOIA regulations: <http://www.justice.gov/oip/foia-resources>
- HHS's FOIA regulations: <https://www.hhs.gov/foia/statutes-and-resources/index.html>

It is your responsibility to notify our office of any changes in your contact information (i.e., mailing address, telephone numbers, and/or email address). Any returned correspondence due to "unknown address" is considered sufficient reason to close your request.

You may contact this office 20 working-days from the date of this letter to inquire the status of your request. When making an inquiry, please refer to your case number.

If you are not satisfied with any aspect of the processing and handling of this request, please contact HRSA's FOIA Public Liaison:

Brian A. May
Freedom of Information Officer
Telephone: 301-443-1467
Email: FOIA@hrsa.gov

and/or:

Office of Government Information Services
National Archives and Administration
8601 Adelphi Road – OGIS
College Park, MD 20740-6001
Telephone: 202-741-5770
Toll-Free: 1-877-684-6448
Fax: 202-741-5769
Email: ogis@nara.gov

If you have any questions please do not hesitate to contact me at 301-443-8222 or at FOIA@hrsa.gov.

Sincerely,

Brion McConville
Government Information Specialist