

DEPARTMENT OF HEALTH & HUMAN SERVICES
Centers for Medicare & Medicaid Services
7500 Security Boulevard, Mail Stop C5-11-06
Baltimore, Maryland 21244-1850



Office of Strategic Operations and Regulatory Affairs/Freedom of Information Group

Refer to: Control Number 032720207008 and PIN Y4MJ

10/1/2020

Melanie Sloan
American Oversight
1030 15th Street, NW, Suite B255
Washington, DC 20005

Dear Ms. Sloan,

This letter is in response to your Freedom of Information Act (5 U.S.C. §552) request of 3/26/2020, which you sent to the Centers for Medicare & Medicaid Services (CMS). Within your correspondence, you requested all text messages and messages on messaging platforms (such as Slack, GChat or Google Hangouts, Lync, Skype, WhatsApp, Twitter DMs, or Facebook messages) between (1) the agency officials specified below, and (2) Rep. Mark Meadows, including messages on any personal devices, as well as official devices attributed to Rep. Meadows, and anyone serving on his staff, including Chief of Staff Ben Williamson, Scheduler Kate Morgan, or Legislative Director Eric Heigis.

After a careful search of the Centers for Medicare & Medicaid Services (CMS) files, i.e., a search reasonably calculated to locate records responsive to your request and employing reasonable standards, we were unable to locate any records responsive to your request. The records you seek, at present, CMS has no retention policy for those platforms on personal devices. We can only search official mailboxes and ESI contained on assigned laptops or network drives where applicable.

If you believe that the information withheld should not be exempt from disclosure, or this response constitutes an adverse determination, you may appeal. By filing an appeal, you preserve your rights under FOIA and give the agency a chance to review and reconsider your request and the agency's decision.

Your appeal must be mailed within 90 days from the date of receipt of this letter, to:

Principal Deputy Administrator
Centers for Medicare and Medicaid Services
Room C5-16-03
7500 Security Blvd.
Baltimore, Maryland 21244-1850

Please clearly mark both the envelope and your letter “Freedom of Information Act Appeal.”

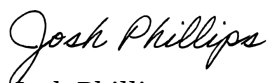
If you would like to discuss our response before filing an appeal to attempt to resolve your dispute without going through the appeals process, you may contact Josh Phillips OR the CMS FOIA Public Liaison for assistance at:

Joseph Tripline
CMS FOIA Public Liaison
Centers for Medicare & Medicaid Services
7500 Security Blvd., MS N2-20-16
Baltimore, Maryland 21244-1850
Telephone: (410) 786-5353 fax (443)-380-7260

If you are unable to resolve your FOIA dispute through our FOIA Public Liaison, the Office of Government Information Services (OGIS), the Federal FOIA Ombudsman’s office, offers mediation services to help resolve disputes between FOIA requesters and Federal agencies. The contact information for OGIS is:

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
Fax: 202-741-5769

Sincerely yours,



Josh Phillips
Acting Director, Division of FOIA Analysis – B
Freedom of Information Group