



January 22, 2025

VIA ONLINE PORTAL

California Department of Public Health
PO Box 997377, MS 0500
Sacramento, CA 95899
Via Online Portal

Re: Public Records Request

Dear Public Records Officer:

Pursuant to the California Public Records Act, Cal. Gov't Code §§ 7920.000 et seq., American Oversight makes the following request for records.

Requested Records

American Oversight requests that the California Department of Public Health (CDPH) produce the following records within ten days:

For both parts of this request, please provide all responsive records from December 1, 2024, through the date the search is conducted.

1. All email communications (including emails, email attachments, complete email chains, calendar invitations, and calendar invitation attachments) between (a) the CDPH officials listed below, or anyone communicating on their behalf, such as an assistant or scheduler, and (b) the external individuals and entities also listed below (including, but not limited to, anyone communicating from an email address ending in the listed domains).

CDPH Officials:

- a. Director Tomás Aragón
- b. Deputy Director Maral Farsi
- c. Chief Deputy Director Brandon Nunes
- d. Chief Deputy Director Susan Fanelli
- e. Assistant Public Health Officer Rita Nguyen
- f. Assistant Director Christine Siador

External Entities and Individuals:

- i. Robert F. Kennedy, Jr. (teamkenedy.com)
- ii. President-elect Donald Trump and/or anyone communicating on his behalf and/or on behalf of Donald J. Trump for President 2024 and/or Trump Save America Joint Fundraising Committee (donaldjtrump.com, trump.com, trumhotels.com, donaldtrump.com, 45office.com)



- iii. Vice President-elect JD Vance and/or anyone communicating on his behalf
- iv. Anyone communicating on behalf of the Trump Vance 2025 Transition Team (transition47.com, trumpvancetransition.com, dtjtfp24.com)
- v. Anyone communicating on behalf of the Trump Vance Inaugural Committee (t47inaugural.com)
- vi. Anyone communicating on behalf of the Presidential Transition Team (ptt.gov)

Please note that American Oversight does not seek, and that part 1 of this request specifically excludes, the initial mailing of news clips or other mass-distribution emails. However, subsequent communications responding to or forwarding such emails are responsive to this request. For example, if a listed official received a mass-distribution news clip email containing the term from an email ending in @trump.com, that initial email would not be responsive to this request. However, if that official forwarded that email to another individual with their own commentary, that subsequent message would be responsive to this request and should be produced.

- 2. All email communications (including emails, email attachments, calendar invitations, and calendar invitation attachments) sent by the officials listed above in part 1 containing both a key term listed below in Column A and a key term listed in Column B.

Key Terms:

Column A	Column B
1. "avian influenza"	1. "presidential transition"
2. "avian flu"	2. RFK
3. "bird influenza"	3. Vance
4. "bird flu"	4. Trump
5. H5	5. Kennedy
6. H5N1	6. "HHS secretary"
7. outbreak	7. "future secretary"
8. pasteurize	8. "next secretary"
9. "raw milk"	

To clarify, an email sent by an official that included both "bird flu" and "Trump" would be responsive. An email sent by an official that included "outbreak" but did not include any of the terms in Column B would not be responsive.

To the extent that your agency has the capacity to run Boolean searches, American Oversight believes the following search string is an example of one that would be most effective in the search for responsive records: "avian influenza" AND ("presidential transition" OR "RFK" OR "Vance" OR "Trump" OR "Kennedy" OR "HHS secretary" OR "future secretary" OR

“next secretary”). American Oversight is available to work with you to construct an appropriate search, based on your search capabilities, to most efficiently identify responsive records.

In an effort to accommodate your agency and reduce the number of potentially responsive records to be processed and produced, American Oversight has limited its request to emails sent by the officials listed in part 2. To be clear, however, American Oversight still requests that complete email chains be produced, displaying both sent and received messages. This means, for example, that both a listed official’s response to an email and the initial received message are responsive to this request and should be produced.

Please notify American Oversight of any anticipated fees or costs in excess of \$100 prior to incurring such costs or fee.

Guidance Regarding the Search & Processing of Requested Records

In connection with its request for records, American Oversight provides the following guidance regarding the scope of the records sought and the search and processing of records:

- Our request for records includes any attachments to those records or other materials enclosed with those records when they were previously transmitted. To the extent that an email is responsive to our request, our request includes all prior messages sent or received in that email chain, as well as any attachments to the email.
- Please search all relevant records or systems containing records regarding agency business. Do not exclude records regarding agency business contained in files, email accounts, or devices in the personal custody of your officials, such as personal email accounts or text messages.
- If any records are withheld in full or in part, please demonstrate that the record(s) in question are exempt under the express provisions of the California Public Records Act or that the public interest served by not disclosing the record(s) clearly outweighs the public interest served by disclosure of the record(s).¹
- In the event some portions of the requested records are properly exempt from disclosure, please disclose any reasonably segregable non-exempt portions of the requested records.² If a request is denied in whole, please state specifically why it is not reasonable to segregate portions of the record for release.

¹ Cal. Gov’t Code § 7922.000.

² Cal. Gov’t Code § 7922.525(b).

- Please take appropriate steps to ensure that records responsive to this request are not deleted by the agency before the completion of processing for this request. If records potentially responsive to this request are likely to be located on systems where they are subject to potential deletion, including on a scheduled basis, please take steps to prevent that deletion, including, as appropriate, by instituting a litigation hold on those records.

If you have any questions regarding how to construe this request for records or believe that further discussions regarding search and processing would facilitate a more efficient production of records of interest to American Oversight, please do not hesitate to contact American Oversight. American Oversight welcomes an opportunity to discuss its request with you before you undertake your search or incur search or duplication costs. By working together at the outset, American Oversight and your agency can decrease the likelihood of costly and time-consuming litigation in the future.

Where possible, please provide responsive material in an electronic format by email. Alternatively, please provide responsive material in native format or in PDF format on a USB drive. Please send any responsive material being sent by mail to American Oversight, 1030 15th Street NW, Suite B255, Washington, DC 20005. If it will accelerate release of responsive records to American Oversight, please also provide responsive material on a rolling basis.

Conclusion

American Oversight is a 501(c)(3) nonprofit with the mission to promote transparency in government, to educate the public about government activities, and to ensure the accountability of government officials. American Oversight uses the information gathered, and its analysis of it, to educate the public through reports, press releases, or other media. American Oversight also makes materials it gathers available on its public website and promotes their availability on social media platforms, such as Facebook and X (formerly Twitter).³

We share a common mission to promote transparency in government. American Oversight looks forward to working with your agency on this request. If you do not

³ American Oversight currently has approximately 16,000 followers on Facebook and 97,700 followers on X (formerly Twitter). American Oversight, Facebook, <https://www.facebook.com/weareoversight/> (last visited Jan. 17, 2025); American Oversight (@weareoversight), X (formerly Twitter), <https://x.com/weareoversight> (last visited Jan. 17, 2025).

understand any part of this request, please contact Danny Martinez at records@americanoversight.org or (202) 897-2465.

Sincerely,

/s/ Danny Martinez
Danny Martinez
on behalf of
American Oversight