AMERICAN OVERSIGHT

July 23, 2025

VIA EMAIL

Pennsylvania Department of Health
Danica Hoppes
Agency Open Records Office
Rm. 825, Health & Welfare Bldg.
625 Forester St.
Harrisburg, PA 17120
PADOHRTK@pa.gov

Re: Right-to-Know Law Request

Dear Open Records Officer:

Pursuant to the Right-to-Know Law (RTKL), as codified at 65 P.S. §§ 67.101 et seq., American Oversight makes the following request for records.

Requested Records

American Oversight requests that the Pennsylvania Department of Health produce the following records within five business days:

1. All email communications (including emails, email attachments, complete email chains, calendar invitations, and calendar invitation attachments) sent by any of the officials listed below, and/or anyone communicating on their behalf, such as an assistant, secretary, and/or chief of staff, and containing any of the key terms listed below.

   Pennsylvania Department of Health Officials:
   i. Debra Bogen, Secretary
   ii. Kristen Rodack, Executive Deputy Secretary
   iii. Muneeza Iqbal, Deputy Secretary of Health Resources and Services
   iv. Danielle Pierre, Deputy Secretary for Administration
   v. Douglas Snyder, Chief Counsel
   vi. Anyone serving as Chief of Staff
   vii. Anyone serving as Director of the Bureau of Health Statistics and Registries

   Key Terms:
   a. birthright
   b. "birth right"
   c. "14th amendment"
   d. "14 amendment"
   e. "fourteenth amendment"

f. 14156
g. "jus soli"
h. casa
i. citizen
j. citizenship
k. migrant
l. undocumented
m. alien

In an effort to accommodate your office and reduce the number of potentially responsive records to be processed and produced, American Oversight has limited part 1 of this request to emails sent by the specified individuals. To be clear, however, American Oversight still requests that complete email chains be produced, displaying both sent and received messages. This means that both an individual's response to an email and the initial received message are responsive to this request and should be produced.

For part 1 of this request, please provide all responsive records from January 20, 2025, to the date the request is received.

2. Records reflecting any final formal or informal directives (including informal email communications), guidance, protocol, or policies created by, issued to, or otherwise provided to the Pennsylvania Department of Health regarding the issuance of documents recognizing United States citizenship, including, but not limited to, as directed by Executive Order 14160 "Protecting the Meaning and Value of American Citizenship."[1]

3. Records reflecting any final formal or informal directives (including informal email communications), guidance, protocol, or policies created by, issued to, or otherwise provided to the Pennsylvania Department of Health regarding the verification of new parents' citizenship status.

For parts 2-3 of this request, please provide all responsive records created or in effect from January 20, 2025, to the date the request is received.

If American Oversight's request for a fee waiver, is not granted in full, please contact us immediately upon making such a determination. **Please notify us of any anticipated fees or costs in excess of $100 prior to incurring such costs or fee.**

Fee Waiver Request

[1] For further identifying information, *see* Exec. Order 14160, *Protecting the Meaning and Value of American Citizenship*, 90 Fed. Reg. 8449 (Jan. 20, 2025), https://www.federalregister.gov/documents/2025/01/29/2025-02007/protecting-the-meaning-and-value-of-american-citizenship.

In accordance with 65 P.S. § 67.1307(f)(2), American Oversight requests a waiver of fees associated with processing this request for records, because disclosure of the requested information is "in the public interest."

The public has a significant interest in ongoing efforts from the Trump Administration to ban birthright citizenship.[2] Records with the potential to shed light on this matter would contribute significantly to public understanding of operations of the government, including how state officials plan to implement the executive order banning birthright citizenship if it is allowed to proceed.

American Oversight is committed to transparency and makes the responses agencies provide to open records requests publicly available, and the public's understanding of the government's activities would be enhanced through American Oversight's analysis and publication of these records. American Oversight's mission is 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]

American Oversight has also demonstrated its commitment to the public disclosure of documents and creation of editorial content through regular substantive analyses posted to its website.[4] Examples reflecting this commitment to the public disclosure of documents and the creation of editorial content include the posting of records and analysis related to the organization's investigations into misconduct and corruption in state governments;[5] posting records and analysis of federal and state governments' responses to the Coronavirus pandemic;[6] posting records received as part of American

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[2] *See, e.g.*, Nik Popli, *Judge Blocks Trump's Birthright Citizenship Order Nationwide, Reigniting Legal Fight*, Time (July 10, 2025, 1:04 PM), https://time.com/7301583/birthright-citizenship-class-action-judge/.

[3] American Oversight currently has approximately 16,000 followers on Facebook and 94,500 followers on X (formerly Twitter). American Oversight, Facebook, https://www.facebook.com/weareoversight/ (last visited July 21, 2025); American Oversight (@weareoversight), X (formerly Twitter), https://x.com/weareoversight (last visited July 21, 2025).

[4] *See generally News*, American Oversight, https://www.americanoversight.org/blog.

[5] *See generally State Investigations*, American Oversight, https://www.americanoversight.org/states; *see, e.g.*, *State Government Contacts with Voting-Restriction Activists*, American Oversight, https://www.americanoversight.org/investigation/state-government-contacts-with-voting-restriction-activists; *Georgia's Voting Machines and Election Security*, American Oversight, https://www.americanoversight.org/investigation/georgias-voting-machines-and-election-security.

[6] *See, e.g.*, *The Trump Administration's Response to Coronavirus*, American Oversight, https://www.americanoversight.org/investigation/the-trump-administrations-response-to-coronavirus; *Tulsa Health Officials Initially Estimated Trump Rally Would*

Oversight's "Audit the Wall" project to gather and analyze information related to the Trump administration's proposed construction of a barrier along the U.S.-Mexico border, and analyses of what those records reveal;[7] and the posting of records related to an ethics waiver received by a senior Department of Justice attorney and an analysis of what those records demonstrated regarding the Department's process for issuing such waivers.[8]

Finally, this request is primarily and fundamentally for non-commercial purposes. As a 501(c)(3) nonprofit, American Oversight does not have a commercial purpose and the release of the information requested is not in American Oversight's financial interest.

Accordingly, American Oversight qualifies for a fee waiver.

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:

- Please search all locations and systems likely to have responsive records, regardless of format, medium, or physical characteristics.
- In conducting your search, please understand the terms "record," "document," and "information" in their broadest sense, to include any written, typed, recorded, graphic, printed, or audio material of any kind.
- Our request for records includes any attachments to those records or other materials enclosed with those records when they were previously transmitted.

Directly Lead to 2 to 9 Deaths, American Oversight, https://www.americanoversight.org/tulsa-health-officials-initially-estimated-trump-rally-would-directly-lead-to-2-to-9-deaths; *Wisconsin Documents Offer Window into Early Uncertainty over COVID-19*, American Oversight, https://www.americanoversight.org/wisconsin-documents-offer-window-into-early-uncertainty-over-covid-19; *In the Documents: Florida Health Department Efforts to Suppress Release of Coronavirus Records*, American Oversight, https://www.americanoversight.org/in-the-documents-florida-health-department-efforts-to-suppress-release-of-coronavirus-records.

[7] *See generally Audit the Wall*, American Oversight, https://www.americanoversight.org/investigation/audit-the-wall; *see, e.g.*, *Border Wall Investigation Report: No Plans, No Funding, No Timeline, No Wall*, American Oversight, https://www.americanoversight.org/border-wall-investigation-report-no-plans-no-funding-no-timeline-no-wall.

[8] *DOJ Records Relating to Solicitor General Noel Francisco's Recusal*, American Oversight, https://www.americanoversight.org/document/doj-civil-division-response-noel-francisco-compliance; *Francisco & the Travel Ban: What We Learned from the DOJ Documents*, American Oversight, https://www.americanoversight.org/francisco-the-travel-ban-what-we-learned-from-the-doj-documents.

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. Records of official business conducted using unofficial systems or stored outside of official files are subject to the Right-to-Know Law.[9]

- 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 under 65 P.S. § 67.706. If a request is denied in whole, please state specifically why it is not reasonable to segregate portions of the record for release.

- 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.

Conclusion

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 to discuss this request. 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.

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 understand any part of this request, please contact Loree Stark at records@americanoversight.org or (304) 913-6114. Also, if American Oversight's

[9] *See, e.g.*, *Barkeyville Borough v. Stearns*, 35 A.3d 91, 95–97 (Pa. Commw. Ct. 2012).

request for a fee waiver is not granted in full, please contact us immediately upon making such a determination.

Sincerely,

/s/ Loree Stark
Loree Stark
on behalf of
American Oversight