AMERICAN OVERSIGHT

August 25, 2026

VIA EMAIL

Missouri Attorney General's Office
Supreme Court Building
207 W. High St.
P.O. Box 899
Jefferson City, MO 65102
sunshinerequest@ago.mo.gov

Re: Sunshine Law Request

Dear Custodian of Records:

Pursuant to the Missouri Sunshine Law, Mo. Rev. Stat. § 610.010 et seq., American Oversight makes the following request for records.

Requested Records

American Oversight requests that your office produce copies of the following records within three business days:

> All email communications (including emails, email attachments, complete email chains, calendar invitations, and calendar invitation attachments) between (a) former Attorney General Andrew Bailey, and (b) any of the external entities listed below, and (c) containing any of the key terms listed below **from January 1, 2025, through September 8, 2025.**
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> External Entities:
> a. The Food and Drug Administration ("@fda.hhs.gov")
> b. The Department of Health and Human Services ("@hhs.gov")
> c. The White House ("who.eop.gov" or "whitehouse.gov")
>
> Key Terms:
> i. "abortion drug"
> ii. "abortion medication"
> iii. "abortion pill"
> iv. "chemical abortion"
> v. "in person dispensing"
> vi. "in-person dispensing"
> vii. "medication abortion"
> viii. mifepristone-induced
> ix. "Risk Evaluation and Mitigation"
> x. "shield law"
> xi. FAERS

xii. mifeprex
xiii. mifepristone
xiv. misoprostol
xv. Markezich
xvi. REMS
xvii. "Louisiana v. U.S. FDA"
xviii. "LA v. FDA"
xix. "Florida v. U.S. FDA"
xx. "FL v. FDA"
xxi. "Missouri v. U.S. FDA"
xxii. "MO v. FDA"

Please note that American Oversight does not seek, and that 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 Mr. Bailey received a mass-distribution news clip email containing the term "mifepristone" from a listed external email entity, that initial email would not be responsive to this request. However, if Mr. Bailey forwarded that email to another individual with commentary, that subsequent message would be responsive to this request and should be produced.

If American Oversight's request for a fee waiver or reduction, below, 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 $50 prior to incurring such costs or fee.**

Fee Waiver Request

In accordance with Mo. Rev. Stat. § 610.026.1(1), American Oversight requests a waiver or reduction of fees associated with processing this request for records. Disclosure of the requested records is in the public interest because it will likely contribute to a better understanding of relevant government procedures by the general public in a significant way. Moreover, the request is primarily and fundamentally for non-commercial purposes.

American Oversight requests a waiver or reduction of fees because disclosure of the requested information "is likely to contribute significantly to public understanding of the operations or activities of [a] public governmental body."[1] The public has a significant interest in mifepristone's safety as well as any potential adverse effects of this medication.[2] Records with the potential to shed light on this issue would contribute

[1] Mo. Rev. Stat. § 610.026.1(1).
[2] *See, e.g.*, Liz Szabo, *The Abortion Pill Is Safe. Scientists Fear an FDA Investigation Will Ignore Science*, Scientific American (Oct. 30, 2025), https://www.scientificamerican.com/article/fda-is-investigating-the-abortion-pill-mifepristone-despite-decades-of/; Susan Rinkunas, *RFK Jr Orders Mifepristone Review as Anti-Abortion Groups Push for Ban*, The Guardian (May 14, 2025),

significantly to public understanding of government operations, including whether and to what extent the Attorney General's office communicated with federal health officials and external organizations regarding a safety study of mifepristone.[3] American Oversight is committed to transparency and makes the responses agencies provide to public 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.

This request is for non-commercial purposes.[4] 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. 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).[5]

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.[6] Examples reflecting this commitment include the posting of records related to the first Trump Administration's contacts with Ukraine and analyses of those contacts;[7] posting records and editorial content about the federal government's response to the COVID-19 pandemic;[8] posting records received as part of American Oversight's

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https://www.theguardian.com/us-news/2025/may/14/rfk-jr-fda-abortion-pill-mifepristone.

[3] *See, e.g.*, Elizabeth Troutman Mitchell, *Exclusive: Makary Responds to Report Saying He Slow-Walked Abortion Pill Safety Review*, Daily Signal (Dec. 9, 2025), https://www.dailysignal.com/2025/12/09/exclusive-makary-responds-report-saying-he-slow-walked-abortion-pill-safety-review/; Pam Belluck, *F.D.A. Decisions on Abortion Pill Were Based on Science, New Analysis Finds*, New York Times (Jan. 12, 2026), https://www.nytimes.com/2026/01/12/health/abortion-pill-mifepristone-fda.html.

[4] Mo. Rev. Stat. § 610.026.1(1).

[5] American Oversight currently has approximately 16,000 followers on Facebook and 94,100 followers on X (formerly Twitter). American Oversight, Facebook, https://www.facebook.com/weareoversight/ (last visited Aug. 26, 2026); American Oversight (@weareoversight), X (formerly Twitter), https://x.com/weareoversight (last visited Aug. 26, 2026).

[6] *See generally Our Latest*, American Oversight, https://www.americanoversight.org/blog.

[7] *The Trump Administration's Contacts with Ukraine*, American Oversight, https://www.americanoversight.org/investigation/the-trump-administrations-contacts-with-ukraine.

[8] *See generally The Trump Administration's Response to Coronavirus*, American Oversight, https://www.americanoversight.org/investigation/the-trump-administrations-response-to-coronavirus; *see, e.g., CDC Calendars from 2018 and 2019: Pandemic-Related*

"Audit the Wall" project to gather and analyze information related to the first Trump administration's proposed construction of a barrier along the U.S.-Mexico border, and analyses of what those records reveal;[9] 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;[10] and posting records and analysis of federal officials' use of taxpayer dollars to charter private aircraft or use government planes for unofficial business.[11]

Accordingly, American Oversight qualifies for a fee waiver or reduction.

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.[12]
- 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

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Briefings and Meetings, American Oversight, https://www.americanoversight.org/cdc-calendars-from-2018-and-2019-pandemic-related-briefings-and-meetings.

[9] *See generally Audit the Wall*, American Oversight, https://www.americanoversight.org/investigation/audit-the-wall; *see, e.g.*, *Audit the Wall: No Plans, No Funding, No Timeline, No Wall*, American Oversight, https://americanoversight.org/audit-the-wall-no-plans-funding-or-timeline-and-no-wall/.

[10] *DOJ Records Relating to Solicitor General Noel Francisco's Recusal*, American Oversight, https://www.documentcloud.org/documents/25544090-doj-records-relating-to-solicitor-general-noel-franciscos-recusal-american-oversight; *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.

[11] *See generally Swamp Airlines: Chartered Jets at Taxpayer Expense*, American Oversight, https://www.americanoversight.org/investigation/swamp-airlines-private-jets-taxpayer-expense; *see, e.g.*, *New Information on Pompeo's 2017 Trips to His Home State*, American Oversight, https://www.americanoversight.org/new-information-on-pompeos-2017-trips-to-his-home-state.

[12] Mo. Rev. Stat. § 610.010(6).

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.

- 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.[13] 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. 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 Emma Lewis at records@americanoversight.org or (202) 919-6303. Also, if American Oversight's

[13] Mo. Rev. Stat. § 610.024.1.

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

Sincerely,

/s/ Emma Lewis
Emma Lewis
on behalf of
American Oversight