



September 1, 2020

VIA EMAIL

Public Information Officer
Attn: Public Record Request
NV Department of Health and Human Services
Director's Office
4126 Technology Way, Suite 100
Carson City, NV 89706
nvdhhs@dhhs.nv.gov

Re: Public Records Act Request

Dear Public Information Officer:

Pursuant to the Nevada Public Records Act, N.R.S. Chapter 239, American Oversight makes the following request for records.

State health officials have reportedly been in contact with hospitals advising that the hospitals will be distribution sites for a forthcoming vaccine for the coronavirus, as early as November. This plan is reportedly coming from the federal government.¹

American Oversight seeks records that will shed light on this plan.

Requested Records

American Oversight requests that the Nevada Department of Health and Human Services produce the following records within five business days:

All email communications (including emails, email attachments, complete email chains, calendar invitations, and calendar invitation attachments) **between** (A) Shannon Odermann Bennett, Immunization Program Manager, and (B) representatives of the federal government with **email addresses ending in** **cdc.gov, hhs.gov, fda.gov, va.gov, mail.mil, fema.dhs.gov, or eop.gov**, regarding plans for distributing vaccines for the coronavirus.

¹ Dr. Saskia Popescu (@SaskiaPopescu), Twitter (Aug. 31, 2020, 12:46 PM), <https://twitter.com/SaskiaPopescu/status/1300475035598028800>; Dr. Saskia Popescu (@SaskiaPopescu), Twitter (Aug. 31, 2020, 2:05 PM), <https://twitter.com/SaskiaPopescu/status/1300495019862708225>.



American Oversight believes that records containing the terms below are likely to be responsive records, and American Oversight requests that your agency at a minimum employ these search terms to identify responsive records:

- i. Vaccine
- ii. Vaccines
- iii. Vaccine(s)
- iv. Vaccination
- v. Vax
- vi. Moderna
- vii. Oxford
- viii. AstraZeneca

Please provide responsive records from July 1, 2020, through the date of the search.

Fees Waiver Request

Pursuant to N.R.S. § 239.052(2) and your agency's fee waiver policy, American Oversight requests a waiver of fees associated with this request for records, except for the items enumerated in the policy, to the extent applicable to this request. Please consult with American Oversight on any fees the agency expects it may assess pursuant to the policy.

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 Twitter.²

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

² American Oversight currently has approximately 15,600 page likes on Facebook and 104,700 followers on Twitter. American Oversight, FACEBOOK, <https://www.facebook.com/weareoversight/> (last visited Aug. 31, 2020); American Oversight (@weareoversight), TWITTER, <https://twitter.com/weareoversight> (last visited Aug. 31, 2020).

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.
- 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. N.R.S. § 239.010(3). 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 Christine Monahan at records@americanoversight.org
or (202) 869-5244.

Sincerely,

A handwritten signature in blue ink that reads "Austin R. Evers". The signature is fluid and cursive, with a long horizontal line extending to the left.

Austin R. Evers
Executive Director
American Oversight