



CITIZENS FOR
RESPONSIBILITY &
ETHICS IN WASHINGTON

June 25, 2025

Department of Health and Human Services
Freedom of Information Act Office
Hubert H. Humphrey Building, Room 729H
200 Independence Avenue, SW
Washington, D.C. 20201

Re: Freedom of Information Act Request

Dear FOIA Officers:

Citizens for Responsibility and Ethics in Washington ("CREW") makes this request for records pursuant to the Freedom of Information Act ("FOIA"), 5 U.S.C. § 552, and United States Department of Health and Human Services ("HHS") regulations.

Specifically, CREW requests the following records of the U.S. Centers for Disease Control and Prevention ("CDC") from January 20, 2025, to the date this request is processed:

- 1) Any and all memoranda, communications, policies, directives, guidance, or other records that mention, reference, or relate to the rehiring of CDC employees fired after January 20, 2025, including those fired as part of the implementation at CDC of the February 11, 2025 executive order titled "Department of Government Efficiency' Workforce Optimization Initiative" (90 Fed. Reg. 9669).
- 2) Any and all memoranda, communications, policies, directives, guidance, or other records that mention, reference, or relate to concerns about the CDC's ability to accomplish aspects of its mission or services because of employee layoffs.
- 3) Any and all memoranda, communications, policies, directives, guidance, or other records that mention, reference, or relate to the involvement of the Department of Government Efficiency in decisions to fire or hire CDC employees.

Please search for responsive records regardless of format, medium, or physical characteristics. We seek records of any kind, including paper records, electronic records, audiotapes, videotapes, photographs, data, and graphical material. Our request includes without limitation all correspondence, letters, emails, text messages, facsimiles, telephone messages, voice mail messages, and transcripts, notes, or minutes of any meetings, telephone conversations, or discussions. Our request also includes any attachments to emails and other records, and anyone who was cc'ed or bcc'ed on any emails.

If it is your position any portion of the requested records is exempt from disclosure,

CREW requests that you provide it with an index of those documents as required under *Vaughn v. Rosen*, 484 F.2d 820 (D.C. Cir. 1973). If some portions of the requested records are properly exempt from disclosure, please disclose any reasonably segregable non-exempt portions of the requested records. See 5 U.S.C. § 552(b). If it is your position that a document contains non-exempt segments, but that those non-exempt segments are so dispersed throughout the document as to make segregation impossible, please state what portion of the document is non-exempt, and how the material is dispersed throughout the document. See *Mead Data Central v. U.S. Dep't of the Air Force*, 566 F.2d 242, 261 (D.C. Cir. 1977).

Please be advised that CREW intends to pursue all legal remedies to enforce its rights under FOIA. Accordingly, because litigation is reasonably foreseeable, the agency should institute an agency wide preservation hold on all documents potentially responsive to this request.

Fee Waiver Request

In accordance with 5 U.S.C. § 552(a)(4)(A) and agency regulations, CREW requests a waiver of fees associated with processing this request for records. The subject of this request concerns the operations of the federal government, and the disclosures likely will contribute to a better understanding of relevant government procedures by CREW and the general public in a significant way. See *id.* § 552(a)(4)(A)(iii). Moreover, the request primarily and fundamentally is for non-commercial purposes. See, e.g., *McClellan Ecological v. Carlucci*, 835 F.2d 1282, 1285 (9th Cir. 1987).

The subjects of this request are likely to contribute to a greater public understanding of CDC's decision to rehire previously fired federal employees. On April 1, 2025, public reporting indicated that HHS had initiated a wide-scale reduction in force, which affected numerous CDC employees.¹ The reporting suggested a plan to cut 10,000 HHS employees, in addition to the approximately 10,000 employees who had agreed to leave the agency voluntarily.² Then, on June 11, reporting suggested that CDC intended to rehire more than 400 previously fired employees.³ The rehired employees include individuals from the National Center for HIV, Viral Hepatitis, STD, and Tuberculosis Prevention, the National Center for Environmental Health, the National Center for Health Statistics, Center for Forecasting and Outbreak Analytics, Office of Human Resources, Global Health Center, Office of Acquisition Services, and Office of Communications.⁴ On June 24, 2025, HHS Secretary Robert F. Kennedy III announced that he had rehired 722 employees at the agency.⁵ In a hearing before the U.S. House of Representatives Committee on Energy and

¹ Rob Stein, et. al, *Widespread firings start at federal health agencies including many in leadership*, NPR (Apr. 1, 2025), <https://www.npr.org/sections/shots-health-news/2025/04/01/g-s1-57485/hhs-fda-layoffs-do-ge-cdc-nih>.

² *Id.*

³ Sophie Gardner, *CDC backtracks on layoffs, rehires more than 400 people*, Politico (Jun. 11, 2025), <https://www.politico.com/news/2025/06/11/cdc-backtracks-on-layoffs-rehires-more-than-400-people-00400404>.

⁴ *Id.*

⁵ Ahmed Aboulenein, *US health secretary Kennedy says he brought back 722 CDC employees, 220 at NIH*, Reuters (Jun. 24, 2025),

Commerce's Subcommittee on Health, which concerned HHS's 2026 budget request, Kennedy explained that the employees were rehired because, in his words, "we were not able to perform our job."⁶ According to experts, "the rapid rehiring is a warning sign that it has lost more capacities and expertise that could prove critical — and difficult to replace — in the months and years ahead."⁷ The public has a right to understand how the apparently ad hoc decision to fire CDC employees on a mass scale impacted public health, affected the CDC's mission, and contributed to its decision to rehire this large group of employees.

The requested records also are not for a commercial purpose. CREW is a non-profit corporation, organized under section 501(c)(3) of the Internal Revenue Code. CREW is committed to protecting the public's right to be aware of the activities of government officials, to ensuring the integrity of those officials, and to highlighting and working to reduce the influence of money on politics. CREW uses a combination of research, litigation, and advocacy to advance its mission. CREW intends to analyze the information responsive to this request and to share its analysis with the public through reports, press releases, or other means. In addition, CREW will disseminate any documents it acquires from this request to the public through its website, www.citizensforethics.org. The release of information obtained through this request is not in CREW's financial interest.

CREW further requests that it not be charged search or review fees for this request pursuant to 5 U.S.C. § 552(a)(4)(A)(ii)(II) because CREW qualifies as a member of the news media. *See Nat'l Sec. Archive v. U.S. Dep't of Defense*, 880 F.2d 1381, 1386 (D.C. Cir. 1989) (holding non-profit a "representative of the news media" and broadly interpreting the term to include "any person or organization which regularly publishes or disseminates information to the public").

CREW routinely disseminates information obtained through FOIA to the public in several ways. For example, CREW's website receives hundreds of thousands of page views every month. The website includes blogposts that report on and analyze newsworthy developments regarding government ethics, corruption, and money in politics, as well as numerous reports CREW has published to educate the public about these issues. These reports frequently rely on government records obtained through FOIA. CREW also posts the documents it obtains through FOIA on its website. Under these circumstances, CREW satisfies fully the criteria for a fee waiver.

Conclusion

If you have any questions about this request or foresee any problems in fully releasing the requested records, please email agoldstein@citizensforethics.org and foia@citizensforethics.org or call (202) 408-5565. Also, if CREW's request for a fee waiver is denied, please contact our office immediately upon making such a determination.

Where possible, please produce records in electronic format. Please send the

<https://www.reuters.com/business/healthcare-pharmaceuticals/us-health-secretary-kennedy-says-he-brought-back-722-cdc-employees-220-nih-2025-06-24/>.

⁶ *Id.*

⁷ Eric Bradner, *Trump administration scrambles to rehire key federal workers after DOGE firings*, CNN (Jun. 24, 2025), <https://www.cnn.com/2025/06/24/politics/doge-fired-workers-rehired>.

requested records to agoldstein@citizensforethics.org and foia@citizensforethics.org.
Thank you for your assistance in the matter.

Sincerely,

A handwritten signature in black ink that reads "Alex Goldstein". The script is cursive and fluid, with the first letters of each word being capitalized and prominent.

Alex Goldstein
Associate Counsel