



(202) 466-3234
(202) 466-3353 (fax)
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1310 L Street, NW
Suite 200
Washington, DC 20005

August 30, 2018

Via U.S. Mail, Email, and Fax

Department of Health and Human
Services
Freedom of Information Officer
Hubert H. Humphrey Building,
Room 729H
200 Independence Avenue, SW
Washington, DC 20201
FOIARequest@hhs.gov

Department of Housing and Urban
Development
Freedom of Information Act Office
451 7th St., SW, Room 10139
Washington, DC 20410-3000
Fax: 202-619-8365

FOIA/PA Mail Referral Unit
Department of Justice
Room 115
LOC Building
Washington, DC 20530-0001
MRUFOIA.Requests@usdoj.gov

Dionne Hardy, FOIA Officer
Office of Management and Budget
725 17th Street NW, Suite 9204
Washington, DC 20503
OMBFOIA@omb.eop.gov

Office of Personnel Management
FOIA Requester Service Center
1900 E St. NW, Room 4458
Washington, DC 20415-7900
Attention: FOIA Request
foia@opm.gov

FOIA/PA Request
FOIA and Transparency
Department of the Treasury
Washington, DC 20220
Fax: 202-622-3895

Department of Education
Office of Management
Office of the Chief Privacy Officer
400 Maryland Ave. SW, LBJ 2W218-32
Washington, DC 20202-4536
ATTN: FOIA Public Liason
EDFOIAManager@ed.gov

Department of Labor
Office of the Solicitor
Division of Management and
Administrative Legal Services
200 Constitution Avenue NW
Room N-2420
Washington, DC 20210
foiarequest@dol.gov

OSD/JS FOIA Requester Service Center
Office of Freedom of Information
1155 Defense Pentagon
Washington, DC 20301-1155
Fax: 571-372-0500

U.S. Department of State
Office of Information Programs and
Services
A/GIS/IPS/RL
SA-2, Suite 8100
Washington, DC 20522-0208
Fax: 202-261-8579

Re: Freedom of Information Act request

Dear Freedom of Information Officers:

Under the Freedom of Information Act, 5 U.S.C. § 552, Americans United for Separation of Church and State requests copies of the public records described below. This request covers all paper and electronic records created by any person after November 8, 2016, that are in the possession, custody, or control of any official, employee, agency, subdivision, or other entity of or within the U.S. Departments of Health and Human Services, Justice, State, Labor, Education, Treasury, Defense, or Housing and Urban Development; the Office of Management and Budget; or the Office of Personnel Management.

Definitions

1. *Covered Persons*: The following individuals:
 - a. Any member of the President's Evangelical Advisory Board (also known as the "Evangelical Executive Advisory Board" or the "Faith Advisory Board").
 - b. Gary Bauer: President, American Values.
 - c. Mark Burns: co-founder and CEO of The NOW Television Network.
 - d. Tim Clinton: President, American Association of Christian Counselors.
 - e. James Dobson: host, "Family Talk"; founder, Focus on the Family.
 - f. Jordan Easley: pastor, Englewood Baptist Church (Jackson, TN).
 - g. Jerry Falwell, Jr.: President, Liberty University (Lynchburg, VA).
 - h. Ronnie Floyd: senior pastor, Cross Church (Northwest, AK).
 - i. Jack Graham: pastor, Prestonwood Baptist Church (Plano, TX).
 - j. Rodney Howard-Browne: co-founder, The River at Tampa Bay Church and Revival Ministries International (Tampa Bay, FL).
 - k. Harry Jackson: senior pastor, Hope Christian Church (Beltsville, MD).
 - l. Robert Jeffress: senior pastor, First Baptist Church (Dallas, TX).
 - m. Richard Land: President, Southern Evangelical Seminary (Matthews, NC).
 - n. Greg Laurie: senior pastor, Harvest Christian Fellowship (Riverside, CA).
 - o. Eric Metaxas: host, "The Eric Metaxas Show."
 - p. Johnnie Moore: Founder and CEO, The Kairos Company.

- q. Frank Page: President and CEO, Southern Baptist Convention Executive Committee.
 - r. Tony Perkins: President, Family Research Council.
 - s. Ralph Reed: founder, Faith and Freedom Coalition.
 - t. Tony Suarez: Executive Vice President, National Hispanic Christian Leadership Conference.
 - u. Paula White: senior pastor, New Destiny Christian Center (Apopka, FL).
 - v. Richard Land: President, Southern Evangelical Seminary (Charlotte, SC).
 - w. Kenneth Copeland: founder, Kenneth Copeland Ministries (Fort Worth, TX).
 - x. Gloria Copeland: founder, Kenneth Copeland Ministries (Fort Worth, TX).
 - y. James Robison: founder, LIFE Outreach International.
 - z. David Jeremiah: senior pastor, Shadow Mountain Community Church (El Cajon, CA).
 - aa. James MacDonald: pastor, Harvest Bible Chapel (Elgin, IL).
 - bb. Jay Strack: Founder and President, Student Leadership University.
 - cc. Michele Bachmann: former Minnesota Congresswoman.
 - dd. A.R. Bernard: pastor, Christian Cultural Center (Brooklyn, NY).
 - ee. Robert Morris: founder and senior pastor, Gateway Church (Southlake, TX).
 - ff. Jentezen Franklin: senior pastor, Free Chapel (Gainesville, GA).
 - gg. Harry Jackson: senior pastor, Hope Christian Church (Beltsville, MD).
 - hh. Tom Mullins: founding pastor, Christ Fellowship Church (Palm Beach Gardens, FL).
2. *Covered Meetings*: All meetings of the Evangelical Advisory Board, with the Evangelical Advisory Board, or attended by any Covered Person, including meetings with White House staff on May 3, 2017, May 4, 2017, July 10, 2017, July 11, 2017, September 8, 2017, November 8, 2017, December 11, 2017, February 8, 2018, and August 27, 2018, as well as a dinner held at the White House to honor evangelical leaders in the evening of August 27, 2018.

Requested Records

1. All communications with Covered Persons.
2. All documents relating or referring to any Covered Person.
3. All materials relating to any Covered Meetings, including notes, transcripts, and recordings of meetings, documents used to prepare for the Meetings, documents distributed at the Meetings, documents prepared as a result of the Meetings, and drafts, annotated versions, and other nonidentical copies of all of the above.
4. Documents sufficient to identify the sources of funding for, and the amounts spent on, the dinner held at the White House to honor evangelical leaders in the evening of August 27, 2018.

Instructions

Please respond to this request within twenty working days, as required by 5 U.S.C. § 552(a)(6)(A)(i), or sooner to the extent required by regulations applicable to your department. If records are available electronically, please provide them by email or electronic file transfer to *luchenitser@au.org*, or by placing them on electronic media and mailing them to:

Alex Luchenitser
Americans United for Separation of Church and State
1310 L St. NW, Suite 200
Washington, DC 20005

Please mail documents that are available only in hard copy to me at the same address.

If you determine that some of the requested records contain information that falls within the statutory exemptions to mandatory disclosure, please review them for discretionary disclosure. *See Chrysler Corp. v. Brown*, 441 U.S. 281, 293 (1979). In accordance with 5 U.S.C. § 552(b), please provide all reasonably segregable portions of otherwise exempt materials. To the extent any of the requests are denied, please describe the information withheld, the reasons for denial, and any exemptions relied upon. See 5 C.F.R. § 5.33.

Please advise us in advance if the fee associated with this request will exceed \$100. If the fee will exceed \$100, we request a fee waiver pursuant to 5 U.S.C. § 552(a)(4)(A)(iii). Our organization is a non-profit organization that has no commercial interests. The records sought would significantly contribute to public understanding of the operations or activities of the government with respect to the important issue of the influence of religion in government.

Alternatively, we request a fee reduction or waiver pursuant to 5 U.S.C. § 552(a)(4)(A)(ii)(II) as a representative of the media. Our organization regularly publishes and disseminates information to the public, primarily through its monthly periodical *Church & State*. *Church & State* is available to the general public, through subscription, and on Americans United's website. The information sought through the requested records would be disseminated to the public through *Church & State*. The enclosed letter from the Department of Housing and Urban Development confirms that our organization is treated as a representative of the news media for FOIA purposes.

Thank you for your prompt attention. If you have any questions, please contact Alex Luchenitser at (202) 466-7306 or *luchenitser@au.org*.

Sincerely,

A handwritten signature in blue ink, appearing to read "Alex J. Luchenitser". The signature is fluid and cursive, with the first name "Alex" being more legible than the last name "Luchenitser".

Alex J. Luchenitser
Associate Legal Director

Enclosures:

December 7, 2006 letter from Department of Housing and Urban Development



U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT
WASHINGTON, DC 20410-0500

OFFICE OF GENERAL COUNSEL

DEC 7 2006

Dena S. Sher, Esq.
Americans United for
Separation of Church and State
518 C Street, N.E.
Washington, D.C. 20002

Re: Freedom of Information Act Appeal – FOIA Control Nos.: FI-448077, FI-449078

Dear Ms. Sher:

This responds to your October 6, 2006, appeal under the Freedom of Information Act, 5 U.S.C. § 552. On April 27, 2006, and May 10, 2006, you requested records as a “representative of the news media,” pursuant to 24 C.F.R. § 15.110(b)(4). By two letters dated September 8, 2006, HUD denied your request.

Based upon the additional information you provided in your letter of October 6, 2006, Americans United for Separation of Church and State may be considered a “representative of the news media.” Therefore, HUD has determined to grant your appeal. Since the total amount otherwise due is less than \$25.00, in accordance with 24 C.F.R. § 15.110(g), you will not be charged a fee for the documents requested.

Judicial review of my determination under 5 U.S.C. § 552(a)(4) is available in the United States District Court of the jurisdiction where you reside or maintain your principal place of business, or in the District of Columbia, or in the judicial district where the records are located.

Sincerely,

A handwritten signature in black ink that reads "Sam E. Hutchinson".

Sam E. Hutchinson
Deputy General Counsel for Operations (Acting)

cc: FOIA Division