

Document ID: (b) (5)
From: (b) (6) . </o=va/ou=exchange
administrative group
(fydibohf23spdlt)/cn=recipients/cn=(b) (6), (b) (6) >
To: Morris, Genevieve </o=va/ou=exchange
administrative group (fydibohf23spdlt)/cn=recipients/cn=(b) (6),
(b) (5) >
Cc:
Bcc:
Subject: RE: Referral - FOIA Request (b) (6) , 18-10887-F and 18-11384-F)
Date: Sun Aug 19 2018 19:18:42 CDT
Attachments: image002.png
image003.png

Thanks

I have a call with (b) (6) tomorrow and should also know more from OIT on our capabilities.
Hope you had a relaxing weekend!

Warm regards,

(b) (6)
(b) (6)

From: Morris, Genevieve
Sent: Sunday, August 19, 2018 6:03:41 PM
To: (b) (6)
Subject: RE: Referral - FOIA Request (b) (6) , 18-10887-F and 18-11384-F)

So you're aware, I forwarded his response to the Deputy COS and OGC person who is the lead. I talked to (b) (6) late on Friday, and he's going to loop back to this on Monday. He knows the importance of getting this right.

Genevieve Morris

Chief Health Information Officer
Office of Electronic Health Record Modernization

Department of Veterans Affairs

o: (b) (6) | m: (b) (6)

www.ehrm.va.gov | @DeptVetAffairs

From: (b) (6)
Sent: Friday, August 17, 2018 5:39 PM
To: Morris, Genevieve <(b) (6)@va.gov>
Subject: FW: Referral - FOIA Request (b) (6), 18-10887-F and 18-11384-F)

Sorry to drag this out with a series of emails – I'll talk with them next week.

I'm at the KC airport – JW is here too. Our flight home is delayed for weather :-(

From: (b) (6)
Sent: Friday, August 17, 2018 4:36 PM
To: (b) (6)
Cc: (b) (6)
Subject: RE: Referral - FOIA Request (b) (6), 18-10887-F and 18-11384-F)

Hi (b) (6)

Reducing the folks on this reply – I just called but reached your VM. It's late on Friday and I'm about to board a plane for DC from KC.

Tuesday I spoke with (b) (6), the former OIT COS, and he stated that VA does have access to the Symantec Clearwell tool that can perform a google type search on all emails and then return a file that a FOIA officer would have to search and adjudicate individually. While VA does have a large staff we know a search would return emails to/from the identified individuals. What we don't know is the exact number of emails a Clearwell search would return. Clearly if it was in the 10,000's of emails then it would be an expensive and unmanageable task but until the search is performed we don't know the number of emails that a team would have to review manually.

(b) (5) but Symantec was a client when I was a consultant so I am familiar with the technology and capabilities. (b) (6) was under the impression that this tool was only available for litigation but I confirmed that OIT can and does support these FOIA requests.

(b) (5) I also realize that the VA is embarking upon a multi-Billion dollar ~10+ year modernization campaign. We receive a monthly OMB meeting, quarterly GAO audits and the House just established a special subcommittee for our program. OEHRM has pledged transparency and demonstrating our best effort to deliver upon this pledge will gain trust and confidence while hopefully averting more FOIA requests and a reputation of not providing

transparency; a concern raised during our expended sole source contract negotiations that resulted in the Cerner ~\$10B non-competitive contract award in May 2018.

I'll find a time and send an appointment for at least the three of us to talk next week – emails can only go so far.

Warm regards,

(b) (6)

VA Office of Electronic Health Record Modernization (OEHRM)

Director, Program Control

811 Vermont Ave; (b) (6)

M (b) (6)

From: (b) (6)
Sent: Friday, August 17, 2018 4:14 PM
To: (b) (6)
Cc: VACO 001B FOIA Inbox; VHA FOIA; (b) (6); (b) (6); (b) (6);
Truex, Matthew; (b) (6); (b) (6); (b) (6); (b) (6)
Subject: RE: Referral - FOIA Request (b) (6), 18-10887-F and 18-11384-F)

Hello (b) (6),

I just spoke with VHA FOIA Director (b) (6). Unlike the VA, HHS has the technology applications that can search through the email accounts of dozens of federal employees at once. However, the VA does not have such technology applications and conducts its email searches one-by-one. As attached, it usually takes the VA IT office five (5) hours just to search through the email box of one VA employee. If you ask the VA IT office to search through the email accounts of all OEHRM employees, it may take the VA IT office hundreds, if not thousands, of hours. We recommend that you explain the situation to the FOIA requester, ask the FOIA requester to clarify/narrow the FOIA request, and process accordingly.

It also appears that your office would have to redact responsive records, if any exist.

Regards,

- Not sure exactly what this will return but assuming there is a manageable number of emails then a manual search of these emails might be manageable. Again, I'm new to VA and FOIA responsibilities but am familiar at a high level with this too.

I will definitely forward your guidance to Ms. Morris for her review.

Thank you, again!

Warm regards,

(b) (6)

VA Office of Electronic Health Record Modernization (OEHRM)

Director, Program Control

811 Vermont Ave; (b) (6)

M (b) (6)

From: (b) (6)
Sent: Friday, August 17, 2018 3:38 PM
To: (b) (6); (b) (6); (b) (6)
Cc: VACO 001B FOIA Inbox; VHA FOIA; (b) (6); (b) (6); (b) (6);
Truex, Matthew; (b) (6); (b) (6)
Subject: RE: Referral - FOIA Request (b) (6), 18-10887-F and 18-11384-F

(b) (6),

You want to manage FOIA requests, not let them spiral out of control. Per 38 CFR 1.554(d), we are allowed to ask the FOIA requester to clarify records, so that the VA can search for and locate the records in a reasonable amount of effort. I'm not sure searching through all OEHRM email accounts is a reasonable amount of effort.

OSVA has seventy-four (74) employees (b) (5)
(b) (6). Certainly, OSVA plans to send a clarification request, and if CREW doesn't clarify, either close the FOIA request or interpret the FOIA request as applying to only the top three OSVA officials.

FOIA Officer Truex or yourself will likely have to review all responsive records. Most VA FOIA Officers are heavily burdened and cannot take on additional cases, particularly since you have your own FOIA Officer.

Regards,

(b) (6)

OSVA FOIA/Privacy Officer

Office of the Executive Secretary

Office of the Secretary, U.S. Dept. of Veterans Affairs (OSVA)

(b) (6) o

(b) (6) c

(b) (6) @va.gov

Telework Weds

CWS 2nd Mon

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From: (b) (6)
Sent: Friday, August 17, 2018 4:02 PM
To: (b) (6) <(b) (6) @va.gov>; (b) (6) <(b) (6) @va.gov>; (b) (6) <(b) (6) @va.gov>
Cc: VACO 001B FOIA Inbox <(b) (6) @va.gov>; VHA FOIA <(b) (6) @va.gov>; (b) (6) <(b) (6) @va.gov>; (b) (6) <(b) (6) @va.gov>; (b) (6) <(b) (6) @va.gov>; Truex, Matthew <(b) (6) @va.gov>
Subject: RE: Referral - FOIA Request (b) (6), 18-10887-F and 18-11384-F

Hi (b) (6), (b) (6)

I was traveling all week but wanted to provide an update for all on the approach Genevieve Morris and OEHRM want to take with this FOIA request. Genevieve Morris wants to provide a comprehensive and fully transparent approach to this search and then response. She is concerned that we are late and has asked me for personal daily updates on our progress.

(b) (5)

(b) (5)

How do we search for text messages?

How do we obtain the cell phone numbers for each of the individuals in our search?

(b) (6)

Can you please coordinate for the VA leadership names to be included? Note, Camilo Sandoval was supporting OEHRM so she believe that his account should be one specifically that is included.

(b)

Can you please assist with identifying FOIA trained staff that can provide the review of the search data after the records are accumulated. I have a very basic understanding of the Clearwell technology capabilities and know that a human will have to review what emails are found. We anticipate that this will be a lengthy process; how do we provide a cost estimate given these unknowns?

Given the complexity and time involved to completely satisfy this response Ms. Morris would like to provide incremental updates so we can demonstrate / document our transparency on this response.

I have cced (b) (6) because he has assisted me as our acting FOIA officer. I have this and many OEHRM responsibilities but be advised that I have not received any FOIA training.

Matt Truex is our contracting officer so he is cc'ed to keep him informed. (b) (6) is a support

contractor and will reach out to schedule a call with everyone working / supporting this FOIA request for next week, week of Aug 20th so we can discuss this plan and agree to next steps vs attempt to coordinate via email.

Have a great weekend!

Warm regards,

(b) (6)

VA Office of Electronic Health Record Modernization (OEHRM)

Director, Program Control

811 Vermont Ave; (b) (6)

M (b) (6)

From: (b) (6)
Sent: Tuesday, August 14, 2018 1:34 PM
To: (b) (6); (b) (6)
Cc: VACO 001B FOIA Inbox; VHA FOIA; (b) (6)
Subject: Referral - FOIA Request (b) (6) 18-10887-F and 18-11384-F)

Hi (b) (6),

The FOIA Service received a request from (b) (6) with the Citizens for Responsibility and Ethics in Washington (CREW) seeking:

1. Records of any and all communications from employees of the VA with Ike (or Isaac) Perlmutter and Dr. Bruce Moskowitz, or any persons representing them or their interest between December 1, 2016 – Present.
2. Records of any and all communications mentioning “Ike Perlmutter,” or “Isaac Perlmutter,” or “Perlmutter,” “Dr. Bruce Moskowitz,” or “Dr. Moskowitz,” “Bruce Moskowitz,” or “Moskowitz,” and “Mar-a-Lago,” or “Mar a Lago,” or the “Mar-a-Logo guys” between December 1, 2016 – Present.

The requester narrowed the scope of the search of his request to the Top Senior Officials for the Office

of the Secretary, and, Office of Electronic Health Records Modernization.

I have attached a copy of the request and our acknowledgement letter advising of this referral. I am assigning this to you in FOIAXpress as OSVA (18-10887-F and VHA OEHRM (18-11384-F.

Note: The requester faxed his request to the VA on April 30, 2018; however, it was erroneously overlooked. The requester and the FOIA Service already discussed this issue.

(b) (6)

VA FOIA Service (005R1C)

Office of Privacy Information and Identity Protection (PIIP)

Quality, Privacy, and Risk (QPR)

Office of Information and Technology (OI&T)

Office: (b) (6)

Fax: (b) (6)

Hotline: (b) (6)

Please take a moment and let us know how we did by completing a quick evaluation: Got a minute? Rate Our Service!

QPR's Mission Statement:

"To instill and promote a culture of quality, privacy and risk management in collaboration with our business partners to enable a better Veteran experience."

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Filename: image002.png

Last Modified: Sun Aug 19 19:18:42 CDT 2018

image002.png for Printed Item: 1 (Attachment
of 2)



Office of Electronic Health Record
MODERNIZATION

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Document ID: (b) (5)

Owner: (b) (5) </o=va/ou=exchange administrative group (fydibohf23spdlt)

/cn=recipients/cn=(b) (5), (b) (5) >

Filename: image003.png

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