



Washington, D.C. 20201

January 23, 2003

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Will Ferroggiaro  
Director, Freedom of Information Project  
The National Security Archive  
The George Washington University  
Gelman Library Suite 701  
2130 H Street, N.W.  
Washington, D.C. 20037

Dear Mr. Ferroggiaro:

This is in response to your Freedom of Information Act request of January 8, 2003, as amended during our telephone conversation of January 20, 2003.

Your original request was for all records concerning the March 19, 2002, memorandum from White House Chief of Staff Andrew Card regarding records containing information about weapons of mass destruction. During our telephone call, you asked that the request be extended to also include any similar records regarding Attorney General John Ashcroft's October 12, 2001, memorandum on the Freedom of Information Act.

With regard to the memorandum from Mr. Card, no new instructions or policy statements were developed as a result of the memorandum. It was received in this office and subsequently forwarded to the Freedom of Information Officers in the several operating divisions (OPDIVs) of HHS by route slip, with the notation "FYI."

The October 12, 2001, memorandum from Mr. Ashcroft was also forwarded to OPDIV FOI Officers, "FYI." In addition, the HHS General Counsel, Mr. Alex M. Azar II, sent a memorandum to the "Heads of [HHS] Operating and Staff Divisions" summarizing the Attorney General's memorandum. A copy of Mr. Azar's memorandum is enclosed. It is being released in full.

There is no fee for FOIA services in processing your request because allowable charges do not exceed our billing threshold of \$25.

While we believe that an adequate search of appropriate files was conducted for the records you requested, you have the right to appeal the finding that no records exist which were developed as a result of Mr. Card's memorandum. Should you wish to do so, please send your appeal within 30 days of your receipt of this letter to the Assistant Secretary for Public Affairs (Media), U.S. Department of Health and Human Services,

Room 645F, Hubert H. Humphrey Building, 200 Independence Avenue, S.W.,  
Washington, D.C. 20201. Clearly mark both the envelope and your letter "Freedom of  
Information Act Appeal."

Sincerely yours,

A handwritten signature in black ink, appearing to read "Rosario Cirrincione". The signature is written in a cursive style with a large initial 'R'.

Rosario Cirrincione

Director

FOI/Privacy Acts Division

Office of Public Affairs

Enclosure