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DEPARTMENT OF HEALTH & HUMAN
SERVICES Centers for Medicare & Medicaid
Services
7500 Security Boulevard, Mail Stop N2-20-16
Baltimore, Maryland 21244-1850



Office of Strategic Operation and Regulatory Affairs/Openness/Transparency & Accountability Group

Refer to Control Number 102120137084 and PIN RV79

JUN 04 2014

John Greenewald
The Black Vault
john@greenewald.com

Dear Mr. Greenewald:

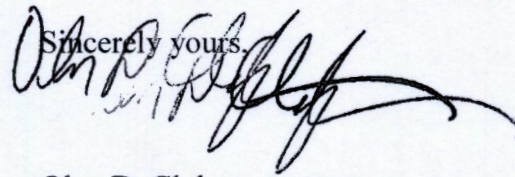
This is an interim response to your Freedom of Information Act (FOIA) (5 U.S.C. § 552) request of October 11, 2013 for a copy of all documents, electronic or otherwise, that pertain to the creation of the website HealthCare.gov. Specifically, you requested, all estimates, reports, the original contract(s), communications (including emails, letters sent via regular, etc.) with any and all parties involved in the creation of the website.

Enclosed are two (2) documents that respond to a portion of your request, CGI and QSSI contracts, that are the original contracts that pertain to the creation of the HealthCare.gov website as stated in your request letter. After careful review of the documents submitted to me, 794 pages (CGI contract) and 308 pages (QSSI contract), I have determined to release the pages to you. However, I am denying you access to portions of 115 of the released pages pursuant to Exemption (b)(4) of the FOIA (5 U.S.C. § 552(b)(4)).

Exemption (b)(4) protects information which constitutes "trade secrets and commercial or financial information obtained from a person [that is] privileged or confidential." This exemption is intended to protect the interest of both the government and submitters of information. Moreover, Exemption 4 affords protection to those submitters who are required to furnish commercial or financial information to the government by safeguarding them from the competitive disadvantages that could result from disclosure.

The portions of pages withheld under this exemption constitute the names of key personnel and non-managerial staff. Release of information concerning the submitter's personnel might allow a competitor to raid the submitter's personnel and hire away key employees. This could enhance the competitor's position and might hurt the submitter's position, especially where the quality of technical or management personnel is important in performing the work.

If you disagree with the decision to withhold portions of the documents determined to be exempt from disclosure, you may appeal. However, should you elect to file an administrative appeal, I ask that you submit any such appeal after receiving my final response to your request. That response will advise you of our agency's procedures to formally submit an administrative appeal which can be submitted within 30 days of our final response to your FOIA request.

Sincerely yours,


Olen D. Clybourn
Acting FOIA Officer
Division of Freedom of Information

Enclosures