



State of South Carolina Office of the Governor

NIKKI R. HALEY
GOVERNOR

1205 PENDLETON STREET
COLUMBIA 29201

August 24, 2015

Mr. W.H. McAbee III
1338 Main Street, Apartment 1107
Columbia, South Carolina 29201

Dear Mr. McAbee,

On August 3, 2015, our office received your Freedom of Information Act request for the following:

1. "All electronic communications, whether by e-mail, fax, text message, or by other means, between the Governor and her staff, the Governor and staff of the Office of the Governor and members of the state legislature, the Governor and the staff of the Office of the Governor with corporate entities or representatives thereof which concerned the Confederate Infantry Battle Flag previously located at the Confederate Soldiers Memorial on Gervais Street from June 15th, 2015 until the receipt of this letter;"
2. "All electronic communications, e.g. email, fax, text message, between the Governor and her staff that were sent to members of the US Congressional Delegation for the State of South Carolina and/or members of the Executive Branch of the Government of the United States of American which concerned the Confederate Infantry Battle Flag previously located at the Confederate Soldiers Memorial on Gervais Street from June 15th, 2015 until receipt of this letter;"
3. "Any and all transcripts, notes, minutes, or other recordings of meetings involving the Governor and/or the staff of the Office of the Governor, which were not press conferences, concerning the Confederate Infantry Battle Flag previously located at the Confederate Soldiers Monument on Gervais Street from June 15th, 2015 to the receipt of this letter."

Our office does not possess records responsive to your request.

However, our office has compiled a packet including correspondence to and from the Governor's Office regarding the Confederate flag and/or the shooting at Mother Emanuel A.M.E. Church from the period of June 1, 2015 through July 13, 2015.

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Be advised that records will be redacted where exemptions apply pursuant to Section 30-4-40(a) of the South Carolina Code of Laws, specifically including exemptions for Section 30-4-40(a)(7) (correspondence or work products of legal counsel and any other material that would violate attorney-client relationships may be exempt) and Section 30-4-40(a)(2) (information of a personal nature where the public disclosure thereof would constitute unreasonable invasion of personal privacy may be exempt).

Pursuant to Section 30-4-30(b), our office will charge a reasonable cost for compiling and copying records as follows: At this time, our office has located at least an estimated 14,500 pages of records from June 1, 2015 through July 13, 2015. For compilation of these records, our office calculates the total cost to be estimated at \$1,955.59, which includes an estimated \$1,450.00 for copies (approximately 14,500 pages at ten center per page) and an estimated \$505.59 for staff time (approximately fourteen hours and five minutes to search and copy records at an average hourly wage of \$35.90).

However, due to the widespread, national public interest of these issues, our office has chosen to waive the charge for more than 14 hours of staff time spent searching and compiling records as allowed by Section 30-4-30(b) (a reduced charge is appropriate where waiver of the fee is determined by the agency to be in the public interest). Accordingly, we have waived the cost of staff time and will only assess a cost for copies of records.

The total estimated cost our office will charge is \$1,450.00, for which a deposit of \$100.00 is required to proceed. Please provide payment by check, made payable to the "Office of the Governor" and delivered or mailed to the following address:

Office of the Governor
c/o Swati Patel, Chief Legal Counsel
1205 Pendleton Street
Columbia, South Carolina 29201

Once the deposit has been received, we will finish compiling records and determine a final cost. We will notify you as soon as a final cost has been determined. Should you choose to narrow your request, please do so in writing.

Sincerely,



Rebecca S. Schimsa
Deputy Legal Counsel

RSS/cs