

FREEDOM OF INFORMATION ACT REQUEST

May 26, 2021

VIA EMAIL

U.S. Department of Labor – OSHA
FOIA Officer
Rm. N3647
200 Constitution Ave., NW
Washington, DC 20210
foiarequests@dol.gov

Re: OSHA – Employer recording requirements of COVID-19 Vaccine Adverse Reactions, pursuant to 29 CFR 1904 (IR#0500)

Dear Mr. Sir or Madam:

This firm represents the Informed Consent Action Network (“ICAN”). On behalf of ICAN, please provide the following records to foia@sirillp.com in electronic form:

All documents, including emails, dated April 1, 2021 through date of search, related to OSHA’s position on enforcement of 29 CFR § 1904 as it relates to recording requirements for employers who mandate COVID-19 vaccination.¹

Documents may contain, but should not be limited to documents that contain, any of the following terms: “29 CFR 1904”, “COVID-19”, “vaccination(s)”, “employer reporting”, “recordable”, “recordkeeping log”, “recording requirements,” “adverse events” OR “side effects.”

We ask that you waive any and all fees or charges pursuant to 5 U.S.C. § 552 (a)(4)(A)(iii). ICAN is a not-for-profit 501(c)(3) organization whose mission is to raise public awareness about vaccine safety and to provide the public with information to give informed consent. As part of their mission, ICAN actively investigates and disseminates information regarding vaccine safety issues, including through their website, and through press events and releases. They are seeking the information in this FOIA request to allow them to contribute to the public understanding of the

¹ See <https://www.osha.gov/coronavirus/faqs#vaccine>. Compare with <https://web.archive.org/web/20210521040310/https://www.osha.gov/coronavirus/faqs>.

government's vaccine safety programs, including the government's efforts to promote vaccine safety. The information we are requesting will not contribute to any commercial activities.

Please note that the FOIA provides that if only portions of a requested file are exempted from release, the remainder must still be released. We therefore request that we be provided with all non-exempt portions which are reasonably segregable. We further request that you describe any deleted or withheld material in detail and specify the statutory basis for the denial as well as your reasons for believing that the alleged statutory justification applies. Please also separately state your reasons for not invoking your discretionary powers to release the requested documents in the public interest. Such statements may help to avoid unnecessary appeal and litigation. ICAN of course reserves all rights to appeal the withholding or deletion of any information.

Access to the requested records should be granted within twenty (20) business days from the date of your receipt of this letter. Failure to respond in a timely manner shall be viewed as a denial of this request and ICAN may immediately file an administrative appeal.

If you would like to discuss our requests or any issues raised in this letter, please feel free to contact me at (212) 532-1091 during normal business hours. Thank you for your time and attention to this matter.

Very truly yours,

A handwritten signature in blue ink, appearing to read 'A. Siri', with a stylized flourish at the end.

Aaron Siri, Esq.