

**FREEDOM OF INFORMATION ACT REQUEST**  
**VIA ONLINE PORTAL**

August 5, 2021

Gorka Garcia-Malene  
Freedom of Information Act Officer  
National Institutes of Health  
Building 31 Room 5B35  
9000 Rockville Pike  
Bethesda, Maryland 20892

*Re: Reports transmitted to Congress pursuant to 42 U.S.C § 300aa-27(c)  
(IR#0533)*

Dear Mr. Garcia-Malene:

This firm represents Informed Consent Action Network (“ICAN”). On behalf of ICAN, we hereby request records pursuant to the Freedom of Information Act (5 U.S.C. § 552, as amended) from the files of the National Institutes of Health (“NIH”).

Please provide the following records in the National Institutes of Health’s possession to [foia@sirillp.com](mailto:foia@sirillp.com) in electronic form:

**All reports prepared and/or transmitted to the Committee on Energy and Commerce of the House of Representatives and the Committee on Labor and Human Resources of the Senate pursuant to 42 U.S.C § 300aa-27(c).**

Fees and charges for this search are to be waived pursuant to 5 U.S.C. § 552(a)(4)(A)(iii) since ICAN is a not-for-profit 501(c)(3) organization and its mission is to raise public awareness about vaccine safety and provide the public with information to give informed consent. As part of its mission, ICAN investigates and disseminates information regarding vaccine safety, including through its website, and through press events and releases. ICAN is seeking the information in this FOIA request to allow it to contribute to the public understanding of the government’s vaccine safety programs, including the government’s efforts to promote vaccine safety. The information requested in this FOIA request 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 or via email at [foia@sirillp.com](mailto:foia@sirillp.com) during normal business hours. Thank you for your time and attention to this matter.

Very truly yours,

/s/ Gabrielle G. Palmer  
Gabrielle G. Palmer, Esq.