



DEPARTMENT OF THE ARMY
HEADQUARTERS, U.S. ARMY MEDICAL RESEARCH AND DEVELOPMENT COMMAND
810 SCHREIDER STREET
FORT DETRICK, MARYLAND 21702-5000

November 15, 2022

Freedom of Information Act Office
FA-22-0030

Mr. Aaron Siri
Siri & Glimstad LLP
200 Park Ave, 17th Floor
New York, NY 10166
foia@sirillp.com

Dear Mr. Siri:

This letter is in response to your Freedom of Information Act request from December 13, 2021 that we received by way of referral from the Centers for Disease Control and Prevention and Agency for Toxic Substances and Disease Registry on June 24, 2022 and assigned tracking #FA-22-0030.

We have five (5) pages that have been withheld in-part under Exemption (b)(6) and Exemption (b)(5) of The Freedom of Information Act pursuant to 5 U.S.C. § 552.

Exemption (b)(6) - Permits the government to withhold information about individuals when the disclosure would constitute a clearly unwarranted invasion into the personal privacy of a third person. When weighing the public interest in knowing how the government works against the privacy interests of individual persons we may conclude that the requested record contains data of a personal nature and that no significant public interest will be served in the release of that information. Pursuant to Exemption (b)(6), Personally Identifiable Information (PII), to include names and emails, has been redacted.

Exemption 5 protects inter-agency or intra-agency memorandums or letters which would not be available by law to a party other than an agency in litigation with the agency. Exemption 5 therefore incorporates the privileges that protect materials from discovery in litigation, including the deliberative process, attorney work-product, and attorney-client privileges. Information withheld under this exemption was protected under the deliberative process privilege. The deliberative process privilege protects the decision-making process of government agencies. The deliberative process privilege protects materials that are both predecisional and deliberative. The materials that have been withheld under the deliberative process privilege of Exemption 5 are both predecisional and deliberative, and do not contain or represent formal or informal agency policies or decisions.

CDC has redacted portions of their equities within these pages, specifically Exemption (b)(5) on page 2 of the responsive records. You may administratively appeal CDC's withholdings to the Deputy Agency Chief FOIA Officer, Office of the Assistant Secretary for Public Affairs, U.S. Department of Health and Human Services via the Department's online portal at <https://requests.publiclink.hhs.gov/App/Index.aspx>. The appeal must be electronically transmitted within 90 days of the date of this final response letter.

You may contact our FOIA Public Liaison at 571-515-0306 or usarmy.belvoir.hqda-oaa-ahs.mbx.rmda-foia-publicliaison@mail.mil for any further assistance and to discuss any aspect of your request. Additionally, you may contact the Office of Government Information Services (OGIS) at the National Archives and Records Administration to inquire about the FOIA mediation services they offer. The contact information for OGIS is as follows: Office of Government Information Services, National Archives and Records Administration, 8601 Adelphi Road-OGIS, College Park, Maryland 20740-6001, email at ogis@nara.gov; telephone at 202-741-5770; toll free at 1-877-684-6448; or facsimile at 202-741-5769.

Because your request has been partially denied (redacted), you are advised of your right to appeal this determination to the Secretary of the Army. If you decide to appeal at this time, your appeal must be submitted within 90 days of the date of this notification. In your appeal, you must state the basis for your disagreement with the denial and the justification for the release of information associated with your request for this command. Your appeal should be addressed to: CDR U.S. Army Medical Research and Development Command, Attention: Freedom of Information/Privacy Acts Office, 810 Schreider Street, Fort Detrick, MD 21702-5000, for forwarding, as appropriate, to the Office of the Secretary of the Army. Please enclose a copy of this response along with your Appeal. To ensure proper processing of any appeal, the letter and the envelope should both bear the notation, "Freedom of Information Act Appeal."

Should you have any questions regarding this response, please email the MRDC FOIA office at usarmy.detrick.medcom-usamrmc.mbx.foia@mail.mil.

Sincerely,

Ms. Robyn Mack
Communications Director