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FREEDOM OF INFORMATION ACT REQUEST **EXPEDITED PROCESSING REQUESTED**

VIA FOIA PUBLIC ACCESS LINK

February 1, 2021

Roger Andoh
Freedom of Information Officer
Centers for Disease Control and Prevention
1600 Clifton Road, N.E., Building 57, Room MS D-54
Atlanta, Georgia 30333
Fax: (404) 235-1852
Email: FOIARequests@cdc.gov

Re: Seroprevalence of Antibodies to SARS-CoV-2 article (IR#0354)

Dear Mr. Andoh:

This firm represents the Informed Consent Action Network (“ICAN”). On behalf of ICAN, we are requesting records pursuant to the Freedom of Information Act (5 U.S.C. § 552, as amended) (“FOIA”).

The subject matter of this request is the publication titled “Seroprevalence of Antibodies to SARS-CoV-2 in 10 Sites in the United States, March 23 – May 12, 2020” found here: <https://jamanetwork.com/journals/jamainternalmedicine/fullarticle/2768834>.

By this letter, please conduct an email search utilizing the following criteria and provide the records in your possession via email to foia@sirillp.com:

Date range for the search:	March 1, 2020 through date of search
Individual(s) whose email account should be searched:	Deborah L. Cannon; Cheng-Feng Chiang; Aridth Gibbons; Inna Krapunaya; Maria Morales-Betoulle; Katherine Roguski; Mohammad Ata Ur Rasheed; Brandi Freeman; Sandra Lester; Lisa Mills; Darin S. Carroll; S.

	Michele Owen; Jeffrey A. Johnson; Vera Semenova; Jarad Schiffer
Limit search to emails with any of the following terms in the subject line and/or body of the email:	(Seroprevalence OR antibodies OR serologic OR serum OR asymptomatic OR cross-reactivity OR underascertainment OR ELISA OR “prevalence of infection”) AND (“severe acute respiratory syndrome coronavirus” OR SARS-CoV-2 OR COVID OR coronavirus)

Request For Expedited Processing

ICAN requests expedited processing for this request. ICAN is “primarily engaged in disseminating information to the general public” and there is an “urgency to inform the public concerning actual or alleged Federal Government activity.” 5 U.S.C. § 552(a)(6)(E)(v)(II).

Specifically, ICAN’s mission is to raise public awareness about public health safety and to provide the public with information to give informed consent regarding related health interventions. The SARS-CoV-2, also known as COVID-19, pandemic has taken over American media and has affected myriad aspects of every American’s life. Resulting lockdowns and quarantines have affected the businesses, education, families, and health of individuals nationwide.

Numerous experimental therapeutics and vaccines against COVID-19 are in development and are highly publicized. Information regarding the need for these treatments and vaccines is a matter of immediate concern to the American public.

Understanding the most up-to-date data regarding the true threat of COVID-19, and fatalities from COVID-19, is therefore critical to the public, including because a potential vaccine is intended to be administered to most Americans, either voluntarily or by compulsion. *See, e.g.,* https://nysba.org/app/uploads/2020/05/HealthLawSectionTaskForceCOVID-19Report_5.13.20-1.pdf (last visited June 2, 2020) (The New York State Bar Association report on COVID-19 recommending that “[w]hen the efficacy of a COVID-19 vaccine has been confirmed, enact legislation requiring vaccination of each person unless the person’s physician deems vaccination for his or her patient to be clinically inappropriate.”); <https://youtu.be/tuoM3QGSUhM> (Constitutional Scholar and Harvard Law Professor Alan Dershowitz stating that he would support mandating a COVID-19 vaccine and that “if you refuse to be vaccinated, the state has the power to literally take you to a doctor’s office and plunge a needle into your arm.”).

The American public should be permitted to have and understand the data related to infection fatality rate (as opposed to the case fatality rate), using the number of cases based on serological evidence, which according to CDC’s study, is 6 to 24 times greater than the number of reported cases.

ICAN certifies that the information in the request is true and correct to the best of ICAN's knowledge and belief.

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 their 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 during normal business hours. Thank you for your time and attention to this matter.

Very truly yours,

/s/ Elizabeth A. Brehm

Elizabeth A. Brehm, Esq.