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FREEDOM OF INFORMATION ACT REQUEST

VIA FEDEX AND EMAIL

March 12, 2018

Michael Marquis
Freedom of Information Act Officer
Department of Health and Human Services (HHS)
Hubert H. Humphrey Building, Room 729H
200 Independence Avenue, SW
Washington, D.C. 20201
Email: FOIARequest@hhs.gov

Re: Department of Health and Human Services and 42 U.S.C. §300aa-27(c) (IR#0012)

Dear Mr. Marquis:

This firm represents 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) from the files of the Department of Health and Human Services (“HHS”).

Section 300aa-27(c) provides: “Within 2 years after December 22, 1987, and periodically thereafter, the Secretary shall prepare and transmit to the Committee on Energy and Commerce of the House of Representatives and the Committee on Labor and Human Resources of the Senate a report describing the actions taken pursuant to subsection (a) during the preceding 2-year period.”

By this letter, please produce the following records in HHS’s possession to the above referenced address in electronic form on a CD or DVD:

Copies of all reports transmitted to the Committee on Energy and Commerce of the House of Representatives and the Committee on Labor and Human Resources of the Senate by the Secretary of HHS pursuant to 42 U.S.C. §300aa-27(c).

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

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 black ink, appearing to read 'A. Siri', written in a cursive style.

Aaron Siri, Esq.