



Centers for Disease Control
and Prevention (CDC)
Atlanta GA 30333
May 25, 2022

Alexander Tin
CBS
1330 S Fair Street
Apt 1405
Arlington, VA 22202
Via email: tina@cbsnews.com

Dear Alexander Tin:

This letter is regarding your attached Centers for Disease Control and Prevention and Agency for Toxic Substances and Disease Registry (CDC/ATSDR) Freedom of Information Act (FOIA) request of May 18, 2021, assigned #21-01298-FOIA.

We located 586 pages of responsive records (272 pages released in full or part; 256 pages withheld in full). After a careful review of these pages, some information was withheld from release pursuant to 5 U.S.C. §552 Exemptions 5 and 6. The foreseeable harm standard was considered when applying these redactions.

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 and presidential communications privileges. 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 information that have been withheld under the deliberative process privilege of Exemption 5 are both predecisional and deliberative, and do not represent formal or informal agency policies or decisions. Examples of information withheld include recommendations, comments, opinions. The presidential communications privilege protects documents solicited and received by the President or his immediate White House advisers who have broad and significant responsibility for investigating and formulating the advice to be given to the President. Examples Exemption 5 redactions include drafts.

Exemption 6 protects information in personnel and medical files and similar files when disclosure would constitute a clearly unwarranted invasion of personal privacy. The information that has been withheld under Exemption 6 consists of personal information, such as personal leave statuses. We have determined that the individual(s) to whom this information pertains has a substantial privacy interest in withholding it.

We also located 161 pages belonging to the U.S. Department of Health and Human Services (HHS) and 1746 pages belonging to the Office of Management and Budget (OMB). In accordance with the Department of Health and Human Services' implementing regulations, CDC does not make decisions on the release or denial of other agencies' documents. We have referred these records along with your request to HHS and OMB respectively for their release determination and direct reply to you. Contact information for each agency is as follows:

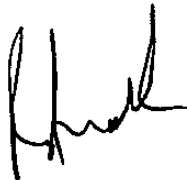
Department of Health and Human Services (HHS)
Freedom of Information Officer
Hubert H. Humphrey Building, Room 729H
200 Independence Avenue, SW
Washington, D.C. 20201
Submit requests to: <https://requests.publiclink.hhs.gov/App/Index.aspx>
Phone: 202-690-7453
Fax: 202-690-8320
FOIA Officer: Brandon Gaylord
FOIA Public Liaison: Beth Kramer; email: HHS_FOIA_Public_Liaison@hhs.gov

OMB's FOIA Officer
Dionne Hardy
725 17th Street, NW
Room 9026
Washington, DC 20503
202.395.FOIA
202.395.3504 (fax)
OMBFOIA@omb.eop.gov

You may contact our FOIA Public Liaison at 770-488-6246 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, e-mail at ogis@nara.gov; telephone at 202-741-5770; toll free at 1-877-684-6448; or facsimile at 202-741-5769.

If you are not satisfied with the response to this request, you may administratively appeal 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 online portal at <https://requests.publiclink.hhs.gov/App/Index.aspx>. Your appeal must be electronically transmitted by August 23, 2022.

Sincerely,



Roger Andoh
CDC/ATSDR FOIA Officer
Office of the Chief Operating Officer
(770) 488-6399
Fax: (404) 235-1852

Enclosures

21-01298-FOIA