

## Latest Documents

### *FOIA Request – Sep. 2, 2021*

Siri | Glimstad

250 Park Avenue, Seventeenth Floor, New York, NY 10022  
s@sg.com | P: (212) 512-1181 | F: (212) 417-9847

#### **FREEDOM OF INFORMATION ACT REQUEST**

VIA ONLINE PORTAL

September 2, 2021

Roger Andri  
Freedom of Information Officer  
Centers for Disease Control and Prevention  
1600 Clifton Road, N.E., Building 57, Room MS D-54  
Atlanta, Georgia 30333

Re: COVID-19 Reflection and Transmission (RRT-0552)

Dear Sir or Madam:

This firm represents the Informed Consent Action Network ("ICAN"). On behalf of ICAN, please provide the following records to [siri@sg.com](mailto:siri@sg.com) in electronic form:

**Documents reflecting any documented case of an individual who: (1) never received a COVID-19 vaccine; (2) was infected with COVID-19 once, recovered, and then later became infected again; and (3) transmitted SARS-CoV-2 to another person when reinfected.**

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 its mission, ICAN actively investigates and disseminates information regarding vaccine safety issues, 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 ICAN is 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.

## FOIA Response from CDC -- Nov. 5, 2021

Page 2 - Elizabeth Boskin

November 05, 2021

### SENT VIA EMAIL

Elizabeth Boskin  
Attorney  
Siti & Gilman  
200 Park Avenue, 17<sup>th</sup> Floor  
New York, New York 10066  
lolo@sitg.com

### 2<sup>nd</sup> Letter Refuting First Response Letter

Dear Ms. Boskin:

The Centers for Disease Control and Prevention, and Agency for Toxic Substances and Disease Registry (CDC/ATSDR) received your September 02, 2021, Freedom of Information Act (FOIA) request on September 02, 2021, seeking:

"Documents reflecting any documented case of an individual who: (1) never received a COVID-19 vaccine; (2) was infected with COVID-19 virus, recovered, and then later became infected again; and (3) transmitted SARS-CoV-2 to another person when not ill."

A search of our records failed to reveal any documents pertaining to your request. The CDC Emergency Operations Center (EOC) conveyed that this information is not collected.

You may contact our FOIA Public Liaison at 770-488-6277 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, 8301 Adelphi Road-OGIS, College Park, Maryland 20740-6000, e-mail at [ogis@nara.gov](mailto:ogis@nara.gov), telephone at 202-741-0730, toll free at 1-877-684-6449, or facsimile at 202-741-0740.

If you are not satisfied with the response to this request, you may administratively appeal by writing to the Deputy Agency Chief FOIA Officer, Office of the Assistant Secretary for Public Affairs, U.S. Department of Health and Human Services, Herbert H. Humphrey Building, 200 Independence Avenue, Suite 7200, Washington, D.C. 20201. You may also transmit your appeal via email to [FOIAAppeals@hhs.gov](mailto:FOIAAppeals@hhs.gov). Please mark both your appeal letter and envelope "FOIA Appeal." Your appeal must be postmarked or electronically transmitted by February 03, 2022.

Sincerely,

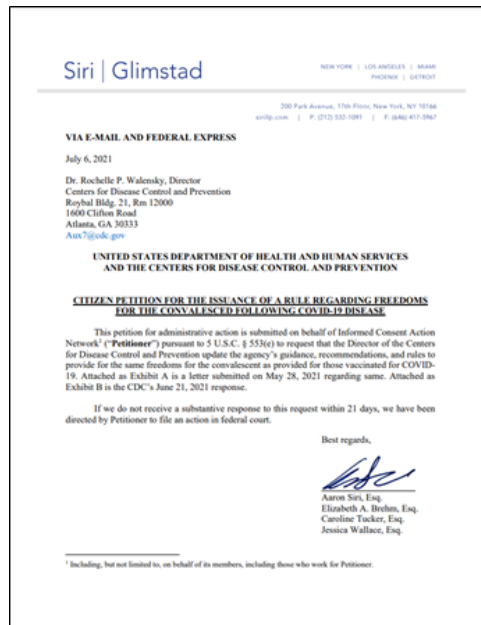


Roger Avelin  
CDC/ATSDR FOIA Officer  
Office of the Chief Operating Officer  
Phone: (770) 488-4300  
Fax: (800) 295-1932

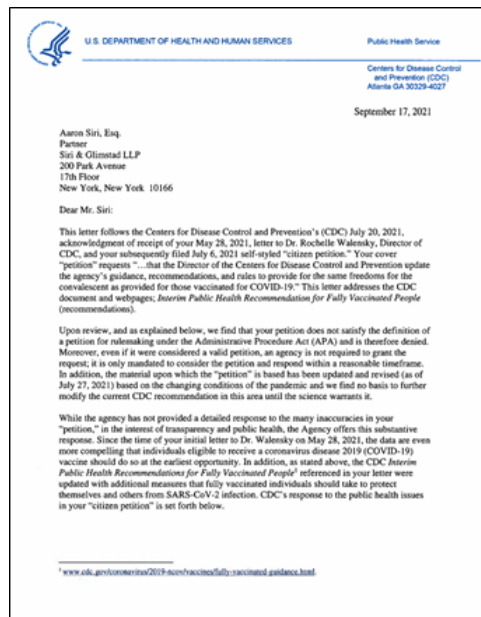
621-82152-FOIA

## Earlier History -- July 2021

### *Petition to the CDC*



### *CDC's Response*



## Reply to CDC

Siri | Glimstad

NEW YORK | LOS ANGELES | MIAMI  
PHOENIX | DETROIT | DENVER

200 Park Avenue, 17th Floor, New York, NY 10166  
siri@sg.com | P: (212) 512-7091 | F: (846) 477-5967

VIA E-MAIL AND FEDERAL EXPRESS

October 21, 2021

Dr. Rochelle P. Walensky, Director  
Centers for Disease Control and Prevention  
Royal Bldg. 21, Rm 12000  
1600 Clifton Road  
Atlanta, GA 30333  
rux7@cdc.gov

Ms. Sandra Cashman, Executive Secretary  
Centers for Disease Control and Prevention  
Royal Bldg. 21, Rm 10230  
1600 Clifton Road  
Atlanta, GA 30333  
edexceesee@cdc.gov

UNITED STATES DEPARTMENT OF HEALTH AND HUMAN SERVICES  
AND THE CENTERS FOR DISEASE CONTROL AND PREVENTION

**REPLY REGARDING CITIZEN PETITION TO LIFT RESTRICTIONS ON THE  
NATURALLY IMMUNE TO THE EXTENT LIFTED ON THE VACCINATED**

Dear Dr. Walensky and Ms. Cashman,

Thank you for your response on September 17, 2021 to the petition filed on behalf of the Informed Consent Action Network<sup>1</sup> ("Petitioner"), dated July 6, 2021. A copy of the petition, and the addendums, are appended as **Appendix A** (the "Petition").<sup>2</sup> A copy of your response is appended as **Appendix B**.

While your response is appreciated, it does not address any of the over 50 studies cited in the Petition which reflect that those previously infected with COVID-19 (the "naturally immune") have superior protection from becoming infected with and transmitting SARS-CoV-2 than those vaccinated for COVID-19 (the "vaccine immune"). Critically:

1. Your response does not contest any of the studies cited and data which collectively revealed hundreds of thousands of naturally immune versus vaccine immune individuals and found that the rate of infection among the naturally immune ("reinfections") is far lower than the rate among the vaccinated ("breakthrough cases"). (*Id.* at § 1.)

<sup>1</sup> Including, but not limited to, on behalf of its members, including those who work for Petitioner.

<sup>2</sup> The Petition shall include Appendix A as well as this letter and its contents.

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Addendum: Discussing this exchange on Fox News:  
<https://video.foxnews.com/v/6278978266001>