

EXHIBIT A



EXECUTIVE OFFICES
1012 14th Street NW, Suite 205
Washington, DC 20005

August 19, 2021

Department of Health and Human Services
Freedom of Information Officer
Hubert H. Humphrey Building, Room 729H
200 Independence Avenue, SW
Washington, DC 20201

Submitted via HHS FOIA PAL website

FOIA Request

To whom it concerns:

Pursuant to the Freedom of Information Act ("FOIA"), 5 U.S.C. § 552, and regulations promulgated by the U.S. Department of Health and Human Services ("HHS"), 45 CFR Subtit. A, Subch. A, Pt. 5, the Center for Inquiry, Inc. ("CFI") submits this request for records related to the Homeopathic Pharmacopoeia Convention of the United States ("HPCUS") and the Homœopathic Pharmacopœia of the United States ("HPUS").

The Federal Food, Drug and Cosmetic Act defines "drug" to include "articles recognized in the [...] official Homœopathic Pharmacopœia of the United States..." *21 U.S.C. § 321(f)*. The HPUS is maintained by the HPCUS. The HPCUS holds itself out to the public as a regulatory entity responsible for oversight of "Homeopathic Drug Products." ("HPUS Role in the Regulatory Environment," <https://www.hpus.com/role-of-hpcus-regulatory.php>) (*See also*, "The Role of the Homœopathic Pharmacopœia Convention of the United States in the Regulation of Homeopathic Drug Products," Borneman, Yingling, Hoover, Homœopathic Pharmacopœia Convention of the United States, <https://www.fda.gov/media/91669/download>).

Accordingly, CFI specifically requests the following records:

- 1) The complete, current, Homœopathic Pharmacopœia of the United States.
- 2) All communications between HHS and HPCUS for the time period beginning 1/1/2015. This includes, without limitation, electronic mail, attachments, publications, schedule of meetings between agency personnel and HPCUS employees, agents and affiliates and any record generated as a result of such meeting.

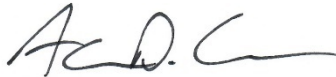
As used in this request, the term "records" is intended to be construed broadly and not limited to a particular format, physical characteristic or medium.

Notwithstanding the fact the HPUS is, by incorporation, codified federal law that must be made available to the public—free of charge—CFI nevertheless requests a waiver of all fees associated with processing this request for records. CFI is a duly organized 501(c)(3) non-profit organization dedicated to fostering a secular society in which critical thinking and reliance on evidence is valued, and science and compassion guide public policy. Through its various programs

and affiliated organizations, CFI regularly conducts research and analysis of information. It closely monitors the activities and operations of governments across the United States and world. CFI synthesizes and disseminates its findings to its members, stakeholders and the public at large through various publications, including a daily newsletter, its website, blog posts, social media posts and its magazine, The Skeptical Inquirer. Accordingly, CFI qualifies as a member of the news media. The subject of this request unquestionably concerns the activities and operations of the government—the regulation of drugs pursuant to federal law. CFI’s analysis of records, and dissemination thereof, will significantly contribute to a better understanding of the how HHS interprets and enforces the law and to what extent a non-governmental agency has been delegated legislative and executive powers. This request is for non-commercial purposes and does not further CFI’s financial interest.

Should HHS have any questions or require clarification of any part of this request, please contact the undersigned directly by email at agreen@centerforinquiry.org or phone at 202-733-5275, ext. 520. In the event HHS denies CFI’s request for fee waiver, please immediately provide a detailed explanation for the denial. CFI looks forward to prompt receipt of the agency’s response.

Sincerely,



Aaron D. Green

Staff Counsel

Center for Inquiry, Inc.