



Centers for Disease Control
and Prevention (CDC)
Atlanta GA 30333

August 18, 2023

Debbie Lerman
103 E. Cliveden St.
Philadelphia, Pennsylvania 19119
Via email: debbielerman@yahoo.com

Dear Ms. Lerman:

This letter is regarding your Centers for Disease Control and Prevention and Agency for Toxic Substances and Disease Registry (CDC/ATSDR) Freedom of Information Act (FOIA) request of July 17, 2023, assigned #HQ-REF-23-00050, for

1. A document entitled "Phases of U.S. Government Response to the 2019 Novel Coronavirus (2019-nCoV)," dated February 11, 2020, and which is referred to at page 10 of the "PanCAP Adapted U.S. Government COVID-19 Response Plan," (March 13, 2020);
2. The NSC Resilience DRG PCC issued on February 24, 2020, and referred to at page 7 of the "PanCAP Adapted U.S. Government COVID-19 Response Plan," (March 13, 2020);
3. The COVID-19 Containment and Mitigation Strategy developed by the NSC and referred to on page 8 of the "PanCAP Adapted U.S. Government COVID-19 Response Plan," (March 13, 2020).

The Federal Emergency Management Agency (FEMA) forwarded CDC 41 pages for our review in response to your request. After a careful review of these pages, 9 pages were determined to have CDC equities and have been withheld in full pursuant to 5 U.S.C. §552 Exemption(s) 5. The foreseeable harm standard was considered when applying these redactions.

The remaining 32 pages have been referred to the Department of Health and Human Services. Please see attached referral letter for more information.

EXEMPTION 5

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 privilege. 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 materials that have been withheld under the deliberative process privilege of Exemption 5 are both predecisional and deliberative, and do not contain or represent formal or informal agency policies or decisions. Examples of information withheld include predecisional draft materials.

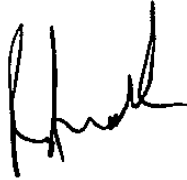
You may contact our FOIA Public Liaison at 770-488-6246 for any further assistance and to discuss any aspect of your request. Additionally, you may contact the Office of Government Information Services

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(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 November 16, 2023.

Sincerely,

A handwritten signature in black ink, appearing to read 'Roger Andoh', written in a cursive style.

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

Enclosures

HQ-REF-23-00050