

Exhibit 2



DEPARTMENT OF HEALTH & HUMAN SERVICES

Health Resources and Services
Administration

Rockville, MD 20857

To efficiently correspond with the HRSA FOIA Office during the COVID-19 public health emergency, we request that you communicate with us by email at FOIA@hrsa.gov or by telephone at 301-443-2865.

If you do not have access to email or choose not to use it, you can continue to send correspondence to the FOIA Office mailing address provided in this letter. However, this correspondence will be delayed until normal agency operations have resumed.

July 11, 2022

Sent via Email

Aaron Siri
Siri Glimstad, LLP
200 Park Avenue
17th Floor
New York, NY 10166
foia@sirillp.com

Dear Aaron Siri:

This letter acknowledges receipt of your Freedom of Information Act (FOIA) request received by this office on July 11, 2022. Your request has been assigned case number 22F253. In summary, you are requesting all communications of Carole Johnson, Diana Espinosa, and/or Jordan Grossman, from December 1, 2020 through the dates of the search, that concern the Covered Countermeasure Injury Table(s) for COVID-19 vaccines for use under the Countermeasures Injury Compensation Program, to include, but not be limited to, e-mail and memorandum.

Please note that the records you seek are maintained outside of this office and our staff has not yet been able to complete a search to determine whether the Health Resources and Services Administration (HRSA) possesses records that are responsive to your request. Accordingly, we may be unable to comply with the 20 working-day time limit in this case, as well as the 10 additional days provided by the statute.

The actual processing time will depend on the complexity of your request and whether it involves sensitive records, voluminous records, extensive search, and/or consultation with other U.S. Department of Health and Human Services (HHS) components or other agencies. We anticipate responding to your request by the close of business on August 23, 2022.

The FOIA and HHS's FOIA regulations allow agencies to recover part of the costs of processing FOIA requests. You have been classified in the following manner:

- Category 1 – Commercial Use Requester. Category 1 requesters are charged for search time, documents review, and duplication.
- Category 2 – Media, Educational, and Scientific Requester. Category 2 requesters are charged for duplication only after the first 100 pages.
- Category 3 – Other Requester. Category 3 requesters are charged for search time (after 2 hours) and duplication (after 100 pages).

You indicated that you were unwilling to pay any fees in excess of \$25.00. In all cases, if the total fee does not exceed \$25.00, we will not charge any fee. However, please note that as a "Media" requestor, duplication fees (after the first 100 pages) may be charged. (Please see the fee information found at <https://www.hhs.gov/foia/fees/index.html>). However, you requested a waiver of fees. Your request, in summary, stated that the basis for your request was that you represented Informed Consent Action Network (ICAN), a not-for-profit news media organization that disseminates information to the public, is seeking the information in order to contribute to the public's understanding of the government's operations and activities, and that it is not for any commercial purposes or benefit.

In consideration of your request for a waiver of fees, we considered the following in accordance with [45 CFR 5 § 5.54](#):

- (1) Identifiable operations or activities that are direct and clear and that would shed light on the operations or activities of the government;
- (2) Disclosure of the requested information would be likely to contribute significantly to public understanding of those operations or activities that must both be meaningfully informative about government operations or activities and also must contribute to the understanding of a reasonably broad audience of persons interested in the subject (we will presume media requestors meet this latter consideration); and
- (3) The disclosure must not be primarily in the commercial interest of the requester.

After giving your request and the above due consideration, we determined that your request for a waiver of fees meets all of the requisite criteria and for this reason, your request for a waiver of fees is approved.

The FOIA and HHS's FOIA regulations are available at the following web addresses:

- FOIA regulations: <http://www.justice.gov/oip/foia-resources>
- HHS's FOIA regulations: <https://www.hhs.gov/foia/statutes-and-resources/index.html>

It is your responsibility to notify our office of any changes in your contact information (i.e., mailing address, telephone numbers, and/or email address). Any returned correspondence due to “unknown address” is considered sufficient reason to close your request.

You may contact this office 20 working-days from the date of this letter to inquire the status of your request. When making an inquiry, please refer to your case number.

If you are not satisfied with any aspect of the processing and handling of this request, please contact HRSA’s FOIA Public Liaison:

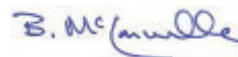
Brian A. May
Freedom of Information Act Officer
Telephone: 301-443-1467
Email: FOIA@hrsa.gov

and/or:

Office of Government Information Services
National Archives and Administration
8601 Adelphi Road – OGIS
College Park, MD 20740-6001
Telephone: 202-741-5770
Toll-Free: 1-877-684-6448
Fax: 202-741-5769
Email: ogis@nara.gov

If you have any questions please do not hesitate to contact me at 301-443-8222 or at FOIA@hrsa.gov.

Sincerely,



Digitally signed by BRION
McCONVILLE
Date: 2022.07.11 13:20:57 -04'00'

Brion McConville
Government Information Specialist