



DEPARTMENT OF HEALTH & HUMAN SERVICES

Office of the Secretary

Assistant Secretary for Public Affairs
Washington, D.C. 20201

Case No. 2024-00087-A-PHS

February 8, 2024

Michael Ding
America First Legal Foundation
611 Pennsylvania Ave SE #231
Washington, DC 20003
Via email: michael.ding@aflegal.org

Dear Mr. Ding:

On January 2, 2024, Mr. John Solomon, Editor in Chief of Just the News, submitted a Freedom of Information Act (FOIA) request to the Centers for Disease Control and Prevention and the Agency for Toxic Substances and Disease Registry (CDC/ATSDR). The CDC/ATSDR FOIA Office assigned the initial request tracking number 24-00444-FOIA. Mr. Solomon asked the agency for expedited processing, but his request was denied.

On Mr. Solomon's behalf, you submitted an administrative appeal of the agency's denial of expedited processing on January 18, 2024. This office (OS FOIA) assigned your appeal tracking number 2024-00087-A-PHS.

On January 17, 2024, however, the CDC/ATSDR FOIA Office determined that Mr. Solomon's initial request fell under the jurisdiction of the Food and Drug Administration (FDA). On January 22, 2024, the CDC/ATSDR FOIA Office informed OS FOIA that the agency had referred Mr. Solomon's initial request to FDA and administratively closed the initial request.

CONCLUSION:

Because the initial request underlying your appeal has been administratively closed and referred to FDA, Mr. Solomon's request for expedited processing by CDC/ATSDR is moot. Accordingly, your appeal is also moot, and it is hereby administratively closed.

Alesia Y. Williams
Director, FOIA Appeals and Litigation
FOI/Privacy Acts Division

Copy to:
CDC/ATSDR FOIA Officer