

Exhibit 2



DEPARTMENT OF HEALTH & HUMAN SERVICES

Health Resources and Services
Administration

Rockville, MD 20857

April 17, 2023

Sent via Email

Aaron Siri
Siri & Glimstad LLP
745 Fifth Avenue, Suite 500
New York, NY 10151
foia@sirillp.com

Dear Aaron Siri:

This letter acknowledges receipt of your Freedom of Information Act (FOIA) request received by this office on April 12, 2023. Your request has been assigned tracking number [04122023F212](#). In summary, you request documents sufficient to identify all members of the qualified, independent panel tasked with reexamining Countermeasures Injury Compensation Program's (CICP) initial determination following a request for reconsideration, as described in 42 C.F.R. § 110.90(c).

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 requested that we waive FOIA processing fees. The U.S. Department of Health and Human Services (HHS) FOIA regulation, Section 5.54(a)¹ states that requesters may seek a waiver of fees by submitting a written application demonstrating how disclosure of the requested information is:

- (1) In the public interest because it is likely to contribute significantly to public understanding of government operations or activities, and
- (2) Not primarily in the requester's commercial interest.

We determined that your fee waiver request meets the criteria and agree to waive the FOIA processing fees.

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.

¹ [https://www.ecfr.gov/current/title-45/subtitle-A/subchapter-A/part-5#p-5.54\(a\)](https://www.ecfr.gov/current/title-45/subtitle-A/subchapter-A/part-5#p-5.54(a))

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 HHS components or other agencies. We anticipate responding to your request by the close of business on July 13, 2023. You can track the status of your request by entering the tracking number and PIN number 7BEG into our portal.²

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 301-443-3650 or at FOIA@hrsa.gov.

Sincerely,

Alexis Chancellor

Alexis Chancellor
Deputy Freedom of Information Act Officer

² <https://foia.hrsa.gov/check-status>