

BuzzFeedNEWS

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FOIA Officer
Department of Health and Human Services
National Institutes of Health
31 Center Drive, MSC 2107
Building 31, Room 5B35
Bethesda, MD 20892
(301) 496-5633

April 06, 2020

FOIA REQUEST

Fee waiver requested

Dear FOIA Officer:

Pursuant to the federal Freedom of Information Act, 5 U.S.C. § 552, I request access to and copies of of all communications, memos, or other records, including instant messages, to and from both Kim J. Hasenkrug, Ph.D., and Ken Pekoc of the NIAID / RML facility from December 31, 2019 to the present date, April 6, 2020, regarding any requests from news outlets for comment on his lab's research in connection with the novel coronavirus, and responses involving these requests.

I would like to receive the information in electronic format, preferably an XML or readable PDF file.

Exhibit B

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I agree to pay reasonable fees for the processing of this request up to \$25. Please notify me before incurring any expenses in excess of that amount.

Fee Categorization

For fee categorization purposes, I am a representative of the news media. Through this request, I am gathering information for my journalistic work with BuzzFeed News. BuzzFeed News is a global news outlet with millions of news readers worldwide. Accordingly, I am only required to pay for the direct cost of duplication after the first 100 pages. 5 U.S.C. § 552(a)(4)(A)(ii)(II); id. § 552(a)(4)(A)(iv)(II).

Request for Fee Waiver

Please waive any applicable fees. Release of the information is not primarily in my commercial interest and will contribute significantly to public understanding of government operations and activities. 5 U.S.C. § 552(a)(4)(A)(iii). As a reporter my entire output is aimed at informing the public of news, and this request will tell the taxpayers how the government chooses to operate its efforts to inform them about the research they are paying for.

Conclusion

If my request is denied in whole or part, please justify all withholdings by reference to specific exemptions and statutes, as applicable. For each withholding please also explain why your agency “reasonably foresees that disclosure would harm an interest protected by an exemption” or why “disclosure is prohibited by law[.]” 5 U.S.C. § 552(a)(8)(A)(i).

I would appreciate your communicating with me by email or telephone, rather than by mail.

I look forward to your determination regarding my request within 20 business days, as the statute requires.

Thank you in advance for your assistance.

Sincerely,

Dan Vergano