



May 8, 2023

Risa Evans
Children's Health Defense
852 Franklin Ave., Suite 511
Franklin Lakes, New Jersey 07417
Via email: risa.evans@childrenshealthdefense.org

Dear Ms. Evans:

This letter is in response to your Centers for Disease Control and Prevention and Agency for Toxic Substances and Disease Registry (CDC/ATSDR) Freedom of Information Act (FOIA) request of September 7, 2022, assigned #22-02151-FOIA by the agency, and has now been assigned case # 23-cv-00431 by the court. The request was for:

CHD requests the Daily Priority Reports described in the Centers for Disease Control and Prevention's (CDC) January 2021 "Vaccine Adverse Event Reporting System (VAERS) Standard Operating Procedures for COVID-19 (as of 29 January 2021) (VAERS SOP), for the period of time from February 1, 2021, to the present.

We located 5,241 pages of responsive records (47 pages released in full, 2680 pages released in part, and 2514 withheld in full). After a careful review of these pages, some information was withheld from release pursuant to 5 U.S.C. §552 Exemption 5.

The records can be downloaded at the link below.

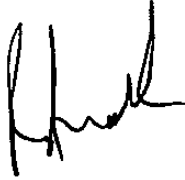
<https://centersfordiseasecontrol.sharefile.com/d-s3fbcc5899863485494fbf127dd995c0f>

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 preliminary priority reports that were not yet processed and substantiated.

If you have any questions regarding this response, please contact U.S. Department of Justice attorney Jared Littman at jared.littman@usdoj.gov.

Sincerely,

A handwritten signature in black ink, appearing to read 'R. Andoh', with a stylized flourish at the end.

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

Enclosures