

# Addendum H

Addendum H – Devvy Kidd, May 10, 2021. The key word being purified.

# Lowell H. Becraft, Jr.

Attorney at Law

May 7, 2021

CDC/ATSDR

Attn: FOIA Office, MS-054

1600 Clifton Road, N.E.

Atlanta, GA 30333

Dear Sir,

This is a request made pursuant to the Freedom of Information Act, 5 U.S.C. § 552, and the regulations of your agency implementing such. See 45 C.F.R. § 3.1, et seq. The request is:

Please provide the following items related to the COVID 19 disease and related pandemic:

1. All tangible evidence, documents (whether printed or electronic), notes, computer data or any other form of memorialization, showing how a scientifically correct isolation and purification of the suspected coronavirus was conducted by CDC scientists (or parties acting on your agency's behalf).

2. All tangible evidence, documents (whether printed or electronic), notes, computer data or any other form of memorialization, confirming CDC scientists (or parties acting on your agency's behalf) used Koch's Postulates in detecting this new coronavirus.

I further seek a limitation or waiver of processing (search and review) fees, pursuant to 5 U.S.C. § 552(a)(4)(A)(ii)(II). ("fees shall be limited to reasonable standard charges for document duplication when records are not sought for commercial use and the request is made by ... a representative of the news media ..."). 5 U.S.C. § 552(a)(4)(A)(ii) ("Documents shall be furnished without any charge or at a charge reduced below the fees established under clause (ii) if disclosure of the information is in the public interest because it is likely to contribute significantly to public understanding of the operations or activities of the government and is not primarily in the commercial interest of the requester."). See also 45 C.F.R. § 3.54(a).

The records requested will contribute significantly to public understanding of the government's operations or activities. Under 45 C.F.R. § 3.54(b)(1)-(2), the following factors are to be considered in determining whether a disclosure is in the public interest: (1) whether disclosure of records concerns "identifiable operations or activities of the Federal Government" and (2) whether disclosure of records would "likely to contribute significantly to public understanding of [government] operations or activities." THIS evaluates two factors

to determine whether the latter requirement is met: (i) disclosure "must be meaningfully informative about government operations or activities," and (ii) "disclosure must contribute to the understanding of a reasonably broad audience of persons interested in the subject." 45 C.F.R. §§ 5.54(b)(2)(i)-(ii). I am seeking the requested documents on behalf of a media organization that wishes to learn more about this matter in its efforts to educate the American public about the activities of your agency and its response to the current pandemic.

In the alternative if fees are not waived, this is my firm promise to pay fees and costs for locating and duplicating the records requested, but please inform me if costs for this request exceed \$100.

Sincerely,



Russell H. Decraft, Jr.

PS: This request has also been filed via email.