



DEPARTMENT OF HEALTH & HUMAN SERVICES

Public Health Service

Freedom of Information Office
5601 Fishers Lane, Room 6G50
Bethesda, Maryland 20892
Tel (301) 451-5109
Fax (301) 480-0904/ Email foia@niaid.nih.gov

National Institutes of Health
National Institute of Allergy
and Infectious Diseases
Bethesda, MD 20892

September 1, 2020

Austin R. Evers
Executive Director
American Oversight
1030 15th Street NW
Suite B255
Washington, DC 20005

Re: FOI Case No. 54021

Dear Mr. Evers:

This is a final response to your April 17, 2020 Freedom of Information Act (FOIA) request sent to me, at the National Institute of Allergy and Infectious Diseases (NIAID), National Institutes of Health (NIH), and received in this office the same day. You requested the following information:

“All communications (including emails, email attachments, text messages, calendar invitations, calendar entries, meeting notices, meeting agendas, or talking points), as well as any summaries of or notes taken during any oral communications, between (a) the government officials listed in Column A below, and (b) the individuals listed in Column B below.

Column A: Government Officials

- i. Anthony Fauci, Director
- ii. Hugh Auchincloss, Principal Deputy Director
- iii. H. Clifford Lane, Deputy Director, Clinical Research and Special Projects
- iv. Emily Erbelding, Director, Division of Microbiology and Infectious Diseases

Column B: External Individuals

- i. Larry Ellison, including anyone communicating on his behalf, such as an executive or special
- ii. assistant or scheduler
- iii. Dr. Mehmet Oz

- iv. Rudy Giuliani, including anyone communicating on his behalf, including but not limited to Jo Ann Zafonte, Christianne Allen, or Beau Wagner
- v. Dr. Vladimir Zelenko
- vi. Ben Shapiro
- vii. Alex Jones
- viii. Gregory Rigano
- ix. Dr. Ramin Oskoui
- x. Dr. Stephen Smith
- xi. Dr. William Grace
- xii. Dr. Marc Siegel
- xiii. Roberto Mignone, including anyone communicating on his behalf, such as an executive or special assistant or scheduler
- xiv. Nitin Saigal
- xv. Chirag Patel, including anyone communicating on his behalf, such as an executive or special assistant or scheduler
- xvi. Ken Fisher, including anyone communicating on his behalf, such as an executive or special assistant or scheduler
- xvii. Bernard Marcus, including anyone communicating on his behalf, such as an executive or special assistant or scheduler
- xviii. Any employee of Fox News, such as Laura Ingraham, Steve Doocy, Brian Kilmeade, Ainsley Earhardt, Tucker Carlson, Sean Hannity, and Lou Dobbs, including but not limited to anyone communicating under the domain foxnews.com, foxbusiness.com, newscorp.com, foxinc.com, fox.com, Murdoch.com, newsamerica.com, newscorporation.com
- xix. Any employee of One America News Network, including but not limited to anyone communicating under the domain oann.com
- xxi. Any employee of Job Creators Network, including but not limited to anyone communicating under the domain jobcreatorsnetwork.com
- xxii. Any employee of Physicians for Reform, including but not limited to anyone communicating under the domain physiciansforreform.org
- xxiii. Dr. Robin Armstrong

Please provide all responsive records from March 1, 2020, through the date of the search.”

On August 26, 2020, Gorka Garcia-Malene (FOIA Officer, National Institutes of Health) sent you a letter seeking the email addresses corresponding to the names of individuals listed in your request who are not NIH employees. You responded on August 27, 2020, with the following list of emails and domains:

Column B: External Individuals	Email / Domain / Alternative Search Term
Larry Ellison	larry.ellison@oracle.com
Dr. Mehmet Oz	- Mco2@columbia.edu - Any emails ending in mail.doctoroz.com or zoco.com
Rudy Giuliani, including anyone communicating on his behalf, including but not limited to Jo Ann Zafonte, Christianne Allen, or Beau Wagner	Any emails ending in giulianipartners.com, gdcillc.com, or giulianisecurity.com
Dr. Vladimir Zelenko	"Zelenko"
Ben Shapiro	- bshapiro@dailywire.com - bshapiro708@gmail.com
Alex Jones	alex@infowars.com
Gregory Rigano	- gregor@iku.network - grigano1@jhu.edu
Dr. Ramin Oskoui	"Oskoui"
Dr. Stephen Smith	Any emails ending in smithcenternj.org
Dr. William Grace	Any emails ending in williamrgracemd.com
Dr. Marc Siegel	- marc@doctorsiegel.com - marc.siegel@nyumc.org
Roberto Mignone	"Mignone"
Nitin Saigal	"Saigal"
Chirag Patel	chirag.patel@amneal.com
Ken Fisher	Any emails ending in kenfisher.com or fisherinvestments.com
Bernard Marcus	"Bernie" AND "Marcus" "Bernard" AND "Marcus"
Dr. Robin Armstrong	"Robin" AND "Armstrong" "Dr. Armstrong"

On August 31, 2020 an unnamed representative at your contact email address confirmed that you are still seeking records between the individuals in Column A and Column B. The email files of Drs. Fauci, Auchincloss, Lane and Erbeling were searched and no records responsive to your request were located. While we believe that an adequate search of appropriate files was conducted for the records you requested, you have the right to appeal this determination that no records exist which would be responsive to your request. Should you wish to do so, your appeal must be sent within ninety (90) days of the date of this letter, following the procedures outlined in Subpart F of the HHS FOIA Regulations (<https://www.federalregister.gov/documents/2016/10/28/2016-25684/freedom-of-information-regulations>) to:

Acting Deputy Agency Chief FOIA Officer
U.S. Department of Health and Human Services

Office of the Assistant Secretary for Public Affairs
Room 729H
200 Independence Avenue, S.W.
Washington, DC 20201
FOIARequest@hhs.gov
FAX: 202-690-8320

Clearly mark both the envelope and your letter "Freedom of Information Act Appeal."

If you are not satisfied with the processing and handling of this request, you may contact the NIAID FOIA Public Liaison and/or the Office of Government Information Services (OGIS):

NIAID FOIA Public Liaison

Margaret Moore
5601 Fishers Lane
Suite 6G51
Bethesda, MD 20892
301-451-5109 (phone)
301-480-0904 (fax)
mm52@mail.nih.gov (email)

OGIS

National Archives and Records Admin.
8601 Adelphi Rd – OGIS
College Park, MD 20740-6001
202-741-5770 (phone)
1-877-684-6448 (toll-free)
202-741-5769 (fax)
ogis@nara.gov (email)

In certain circumstances provisions of the FOIA and Department of Health and Human Services FOIA Regulations allow us to recover part of the cost of responding to your request. Because no unusual circumstances apply to the processing of your request, there are no charges associated with our response.

Sincerely,

Robin L. Schofield
FOIA Coordinator
National Institute of Allergy and Infectious Diseases