



Case No. 2021-00116-FOIA-OS

November 04, 2020

Sent via email:

Austin Evers
Executive Director
American Oversight
foia@americanoversight.org

Dear Mr. Evers:

This letter is the final response to your October 15, 2020, Freedom of Information Act (FOIA) request. Specifically, you requested the following records:

“All records reflecting the terms and/or conditions of contract(s), amendment(s), memorandum of understanding(s), or other written agreement(s) between (a)Advanced Technology International, Inc. (ATI) and (b) the entities listed below regarding the development of coronavirus vaccines or therapeutics:

1. Novavax, Inc. (including but not limited to the approximately \$1.6 billion agreement announced by HHS on July 7, 20207)
2. Pfizer (including but not limited to the approximately \$1.95 billion agreement with Pfizer and/or BioNTech announced by HHS on July 22, 20208)
3. BioNTech (including but not limited to the approximately \$1.95 billion agreement with Pfizer and/or BioNTech announced by HHS on July 22, 20209)
4. Sanofi Pasteur and/or its subsidiary Protein Sciences (collectively, Sanofi) (including but not limited to the approximately \$2.04 billion award to Sanofi in conjunction with GlaxoSmithKline announced on July 31, 2020,10 and any related awards or agreements with Sanofi that preceded this announcement11)
5. GlaxoSmithKline (GSK) (including but not limited to the approximately \$2.04 billion award to GSK in conjunction with Sanofi announced on July 31, 202012)
6. Johnson & Johnson and/or its subsidiary Janssen Pharmaceuticals Companies (including but not limited to the approximately \$1 billion award announced on August 5, 202013)

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

A representative from the Assistant Secretary for Preparedness and Response (ASPR) conducted a search and reports there are no records responsive to your request. The requested records are believed to be in possession of the U.S. Department of Defense, Joint Program Executive Office for Chemical, Biological, Radiological and Nuclear Defense (JPEO-CBRND).

While we believe an adequate search of the appropriate files was conducted for the records requested, you have the right to appeal this finding that no responsive records exist within ASPR. By filing an appeal, you preserve your rights under FOIA and give the agency a chance to review and reconsider your request and the agency’s decision.

Your appeal must be postmarked or electronically transmitted within 90 calendar days of the date of this letter, to:

Mr. Mark Weber
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

Please clearly mark both the envelope and your letter “Freedom of Information Act Appeal.” You may also e-mail your appeal to: HHS.ACFO@hhs.gov.

If you would like to discuss our response before filing an appeal to attempt to resolve your dispute without going through the appeals process, you may contact the HHS FOIA Public Liaison for assistance at:

HHS FOIA/PA Public Liaison
FOI/Privacy Acts Division
Assistant Secretary for Public Affairs (ASPA)
Office of the Secretary (OS)
U.S. Department of Health and Human Services (HHS)
200 Independence Avenue, SW, Suite 729H
Washington, DC 20201

Telephone: (202) 690-7453
Fax: (202) 690-8320
E-mail: HHS_FOIA_Public_Liaison@hhs.gov

If you are unable to resolve your FOIA dispute through our FOIA Public Liaison, the Office of Government Information Services (OGIS), the Federal FOIA Ombudsman’s office, offers mediation services to help resolve disputes between FOIA requesters and Federal agencies. The contact information for OGIS is:

Office of Government Information Services
National Archives and Records Administration
8601 Adelphi Road–OGIS
College Park, MD 20740-6001

Telephone: 202-741-5770
Toll-Free: 1-877-684-6448
E-mail: ogis@nara.gov
Fax: 202-741-5769

There are no charges in this instance because the billable costs are less than our threshold of \$25.

Sincerely yours,

Natasha R. J. Gaylord
FOR

Brandon J. Gaylord
Director
FOI/Privacy Acts Division