



DEFENSE HEALTH AGENCY
7700 ARLINGTON BOULEVARD, SUITE 5101
FALLS CHURCH, VIRGINIA 22042-5101

July 9, 2021

Austin R. Evers
American Oversight
1030 15th Street N.W
Suite 8255
Washington, DC 20005

DHA's Initial Tracking No: 21-00023 (Media category)

Requester's Tracking No: 165861

Dear Austin R. Evers:

Thank you for your Freedom of Information Act (FOIA) request of October 15, 2020, received by the Defense Health Agency (DHA) on October 15, 2020. Your request has been assigned initial case number 21-00023. Please provide this number in any future correspondence on this matter.

A review of your request shows that you are seeking:

[We request that your agency produce the following records within twenty business days:

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 with respect to the approximately \$1.6 billion agreement announced by HHS on July 7, 2020)*
- 2. Pfizer (including but not limited to the approximately \$1.95 billion agreement with Pfizer and/or BioNTech announced by HHS on July 22, 2020)*
- 3. BioNTech (including with respect to the approximately \$1.95 billion agreement with Pfizer and/or BioNTech announced by HHS on July 22, 2020)*
- 4. Sanofi Pasteur and/or its subsidiary Protein Sciences (collectively, Sanofi) (including with respect 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 announcement)

5. *GlaxoSmithKline (GSK) (including with respect to the approximately \$2.04 billion award to GSK in conjunction with Sanofi announced on July 31, 2020)*
6. *Johnson & Johnson and/or its subsidiary Janssen Pharmaceuticals Companies (including with respect to the approximately \$1 billion award announced on August 5, 2020)]*

Under the FOIA, requesters are required to describe the records sought with specificity and sufficient detail to allow an agency employee, familiar with the subject area of the request, to locate those records with a reasonable amount of effort, (*Ferri v. DOJ*). After a preliminary search, your request, as written, does not reasonably describe the records sought with specificity (*Solicitation/Contract numbers needed*) and is considered an improper request. As such, effective July 9, 2021, this request has been closed. However, please feel free to revise your scope and submit a new request via email to DHA.FOIA@mail.mil.

If you are not satisfied with this action, you may appeal to the DHA appellate authority. Your appeal must be written and postmarked within 90 calendar days of the date of this letter, should cite the above referenced control number, and should be clearly marked "Freedom of Information Act Appeal." Due to the current global pandemic, postal delivery for the DHA FOIA Service Center has been temporarily suspended. However, you may submit your appeal electronically to: DHA.FOIAappeals@mail.mil.

In addition, please note you have the right to seek dispute resolution services from the DHA FOIA Public Liaison via the following contact information:

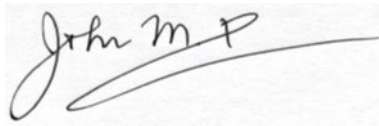
Defense Health Agency
FOIA Requester Service Center
Attention: FOIA Public Liaison
Email: DHA.FOIA@mail.mil
Phone: 1+ (703) 275-6017

If you are unable to resolve your FOIA dispute through our FOIA Public Liaison, the Federal FOIA Ombudsman's office offers mediation services through the Office of Government Information Services (OGIS) to help resolve disputes between FOIA requesters and Federal agencies. You may contact OGIS via the following:

National Archives and Records Administration
Office of Government Information Services
8601 Adelphi Road - OGIS
College Park, MD 20740-6001
Email: ogis@nara.gov
Phone: 1+ (202) 741-5770 or Toll Free: 1-877-684-6448

If you have any questions about processing your request under the FOIA, please contact the DHA FOIA Service Center at (703) 275-6017.

Sincerely,

A handwritten signature in black ink, appearing to read "John M. Boyer", with a long horizontal flourish extending to the right.

John M. Boyer
FOIA Manager
DHA Freedom of Information Service Center