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Subject:Foia Rebuttal 1-24-03.doc

Date:Tue, 25 Nov 2003 09:09:32 -0500

From:lyn redwood <tlredwood@mindspring.com>

To:<CheriJacobus@aol.com>

January 24, 2003

Lynn Armstrong
CDC/ATSDR FOIA Officer
Office of Communication
Centers for Disease Control and Prevention (CDC)
FOIA Office, D54
1600 Clifton Road, NE
Atlanta, Georgia 30333

Dear Ms. Armstrong:

On January 24th 2003 SAFE MINDs received your final response to our FOIA request, part (b) and (c), dated April 10th, 2002. In reviewing the documents that were sent I am concerned that there has been some misunderstanding of the request.

SAFE MINDs had previously requested all documents pertaining to thimerosal, including Vaccine Safety Datalink analysis back in 2000 and had received numerous documents pertaining to our request. In reviewing the documents it came to our attention that there were a number of other documents that would be of interest, some of the documents we received were of poor quality and difficult to read, and that since the time of our original request, new information had been presented to the Institute of Medicine regarding the VSD analysis, including the addition of a third set of data that had not been previously available or presented.

Therefore we submitted a second request for additional documents that included:

- (a) Minutes and all documents reviewed during a meeting sponsored by the National Vaccine Program held in Puerto Rico May, 2000 on the use of Aluminum in Vaccines.
- (b) All documents, reports, emails and presentation related to the presentation of the Vaccine Safety Datalink Analysis of Thimerosal Preserved Vaccines and Neurodevelopmental Outcomes by Dr. Thomas Verstraeten to the Institute of Medicine in July 2001.
- (c) All documents concerning the vaccine safety datalink assessment of thimerosal preserved vaccines generated from January 2001 to present.
- (d) A legible copy of the "Thimerosal VSD Study Phase I" and "Phase I Update" prepared by Thomas Verstraeten, Robert Davis and Frank DeStefano

In May of 2002 I received a letter that projected the cost of the request as being \$113 and a check was sent to cover the expenses. After numerous phone calls to check on the status of the request, I received partial data including part (a) and (d). Unfortunately, part d. was not the document that I had requested. When I called FOIA to state that the document I received was not the one that had been requested, the person that I spoke with was very short tempered and rude. I was told that a lot of time had been spent on the request and that they would just “find another document to send”. I asked that they please not just find another document to send, but to send the actual document that had been requested.

After several months and numerous phone calls I received what is referenced as the final response to our FOIA request dated April 10, 2002, specifically items (b) and (c), January 24th, 2003. Unfortunately again, the materials received are not those that were requested. The information and emails received are dated from 1999 to June of 2000 and are duplicates of the information received in our previous FIOA. What we had specifically requested was information dated from January 2001, (the date of the end of our last document request) to present, which at the time would have been April 2002.

Since Dr. Verstraeten had presented an updated version of the Vaccine Safety Datalink Analysis of Thimerosal Containing Vaccines and Neurodevelopmental Disorders to the Institute of Medicine in July of 2001, we know for a fact that additional documents exist that were not included in our FOIA request. I would like to think that the lack of the FOIA staff to include the requested documents is an oversight, since refusal to release data is contrary to FOIA policy as explained by the Attorney General in September 3, 1999 memo to the heads of agencies:

The President pointed out that the FOIA was enacted based upon the fundamental principle that an informed citizenry is essential to the democratic process and that the more the American people know about their Government the will better they be governed. Openness in government is essential to accountability and the FOIA has become an integral part of that process.

Please do not take this letter as an appeal to a decision to deny access to your agencies records, but rather to ascertain if the non-inclusion of the requested documents was purely an oversight of your agencies officers. As provided for under FOIA, I expect a reply to our inquiry within 10 working days.

Sincerely,

Lyn Redwood, Pres.
SAFE MINDs

Cc: Congressman Dan Burton
Congressman Dave Weldon, MD
The Honorable Tommy Thompson