



September 15, 2023

VIA FOIA Public Access Link (PAL)

Attn: FOIA Office, MS-D54
Roger Andoh, CDC/ATSDR FOIA Officer
Centers for Disease Control and Prevention
1600 Clifton Road, N.E.
Atlanta, GA 30333

Freedom of Information Act Request: Omicron Variant Evolution

America First Legal Foundation is a national, nonprofit organization working to promote the rule of law in the United States, prevent executive overreach, and ensure due process and equal protection for all Americans, all to promote public knowledge and understanding of the law and individual rights guaranteed under the Constitution and laws of the United States. To that end, we file Freedom of Information Act (FOIA) requests on issues of pressing public concern, then disseminate the information we obtain, making documents broadly available to the public, scholars, and the media. Using our editorial skills to turn raw materials into distinct work, we distribute that work to a national audience through traditional and social media platforms. AFL's Twitter has over 177,000 followers, and the Twitter page of our Founder and President has over 505,000 followers.

I. Requested Records

- A. All records containing the terms "SARS-CoV-2" AND "natural selection" AND "Omicron". The time frame for this item is October 1, 2022, to the date of processing.
- B. All records of or regarding the article by Tanaka and Miyazawa, titled "**Unnatural evolutionary processes of SARS-CoV-2 variants and possibility of deliberate natural selection.**" A version of this article dated August 15, 2023, may be found at this URL: <https://zenodo.org/record/8248320>. However, this request includes all prior versions as well. The time frame for this item is January 1, 2023, to the date of processing.

611 Pennsylvania Ave SE #231
Washington, DC 20003

320 South Madison Avenue
Monroe, Georgia 30655

II. Fee Waiver

Per 5 U.S.C. § 552 (a)(4)(A)(iii), AFL requests a waiver of all search and duplication fees associated with this request.

First, AFL is a qualified non-commercial public education and news media requester. Our officials routinely appear on national television and use social media platforms to disseminate the information it has obtained about federal government activities. In this case, AFL will make your records and your response publicly available for the benefit of all citizens, scholars, and others, and the public's understanding of your policies and practices will be enhanced through AFL's analysis and publication of the requested records. As a nonprofit organization, AFL does not have a commercial purpose, and the release of the information requested is not in AFL's financial interest. Accordingly, AFL has been granted fee waivers on this basis by the Departments of Defense, Education, Energy, Health and Human Services, Justice, Interior, and Homeland Security.

Second, a waiver is proper as disclosure of the requested information is "in the public interest because it is likely to contribute significantly to public understanding of the operations or activities of the government."

Please contact us immediately if AFL's request for a fee waiver is not granted in full.

III. Processing and Production

Processing should strictly comply with the process guidance of the Attorney General's Memorandum on the Freedom of Information Act Guidelines. If you have any questions about our request or believe further discussions regarding search and processing would facilitate more efficient production of records of interest to AFL, please get in touch with me at FOIA@aflegal.org. To accelerate your release of responsive records, AFL welcomes production on an agreed rolling basis. Please provide responsive records in an electronic format by email or in native or PDF format on a USB drive to America First Legal Foundation, 611 Pennsylvania Ave SE #231, Washington, DC 20003.

Thank you in advance for your cooperation.

Sincerely,

/s/ Reed D. Rubinstein

Reed D. Rubinstein

America First Legal Foundation