



**United States Department of State**

*Washington, D.C. 20520*

January 12, 2022

Case No. FL-2021-00527

Mr. Gene P. Hamilton  
600 14th Street NW, 5<sup>th</sup> Floor  
Washington, D.C. 20005

Dear Mr. Hamilton:

This letter is in response to your request dated May 28, 2021, under the Freedom of Information Act (“FOIA”), 5 U.S.C. § 552. Thus far, the Department of State has processed more than 300 pages of potentially responsive material and has located three responsive records subject to the FOIA. Upon review, we have determined that all three records may be released in full.

For your information, Congress excluded three discrete categories of law enforcement and national security records from the requirements of the FOIA. *See* 5 U.S.C. 552(c). This response is limited to those records that are subject to the requirements of the FOIA. This is a standard notification that is given to all our requesters and should not be taken as an indication that excluded records do, or do not, exist. To the extent another agency asserts that it can neither confirm nor deny the existence of certain records, the Department of State will similarly take the position that it neither confirms nor denies the existence of those records.

An enclosure explains the FOIA exemptions and other grounds for withholding material. All non-exempt material that is reasonably segregable from the exempt material has been released and is enclosed.

We will keep you informed as your case progresses. If you have any questions, your attorney may contact Assistant United States Attorney Derek Hammond at 202-252-2511 or [Derek.Hammond@usdoj.gov](mailto:Derek.Hammond@usdoj.gov). Please refer to the case number, FL-2021-00527, and the civil action number, 21-cv-02253, in all correspondence about this case.

Sincerely,

A handwritten signature in black ink that reads "Jeanne Miller". The signature is written in a cursive, flowing style.

Jeanne Miller  
Chief, Programs and Policies Division  
Office of Information Programs and Services

Enclosures: As stated

## The Freedom of Information Act (5 USC 552)

### FOIA Exemptions

- (b)(1) Information specifically authorized by an executive order to be kept secret in the interest of national defense or foreign policy. Executive Order 13526 includes the following classification categories:
- 1.4(a) Military plans, systems, or operations
  - 1.4(b) Foreign government information
  - 1.4(c) Intelligence activities, sources or methods, or cryptology
  - 1.4(d) Foreign relations or foreign activities of the US, including confidential sources
  - 1.4(e) Scientific, technological, or economic matters relating to national security, including defense against transnational terrorism
  - 1.4(f) U.S. Government programs for safeguarding nuclear materials or facilities
  - 1.4(g) Vulnerabilities or capabilities of systems, installations, infrastructures, projects, plans, or protection services relating to US national security, including defense against transnational terrorism
  - 1.4(h) Weapons of mass destruction
- (b)(2) Related solely to the internal personnel rules and practices of an agency
- (b)(3) Specifically exempted from disclosure by statute (other than 5 USC 552), for example:
- |                |   |
|----------------|---|
| ARMSEXP        | Arms Export Control Act, 50a USC 2411(c)                    |
| CIA PERS/ORG   | Central Intelligence Agency Act of 1949, 50 USC 403(g)      |
| EXPORT CONTROL | Export Administration Act of 1979, 50 USC App. Sec. 2411(c) |
| FS ACT         | Foreign Service Act of 1980, 22 USC 4004                    |
| INA            | Immigration and Nationality Act, 8 USC 1202(f), Sec. 222(f) |
| IRAN           | Iran Claims Settlement Act, Public Law 99-99, Sec. 505      |
- (b)(4) Trade secrets and confidential commercial or financial information
- (b)(5) Interagency or intra-agency communications forming part of the deliberative process, attorney-client privilege, or attorney work product
- (b)(6) Personal privacy information
- (b)(7) Law enforcement information whose disclosure would:
- (A) interfere with enforcement proceedings
  - (B) deprive a person of a fair trial
  - (C) constitute an unwarranted invasion of personal privacy
  - (D) disclose confidential sources
  - (E) disclose investigation techniques
  - (F) endanger life or physical safety of an individual
- (b)(8) Prepared by or for a government agency regulating or supervising financial institutions
- (b)(9) Geological and geophysical information and data, including maps, concerning wells

### Other Grounds for Withholding

- NR Material not responsive to a FOIA request excised with the agreement of the requester



July 8, 2021

The Honorable  
Rick Scott  
United States Senate  
Washington, DC 20510

Dear Senator Scott:

Thank you for your letter of May 27 expressing interest and support for a comprehensive investigation into the origins of the COVID-19 pandemic. The world continues to have serious questions about the earliest days of the COVID-19 pandemic, including its origins. China's position that its part in this investigation is complete is disappointing and at odds with the rest of the international community that is working collaboratively across the board to bring an end to this pandemic and improve global health security. The U.S. government does not know exactly where, when, or how SARS COV-2 virus, which led to the COVID-19 pandemic, was transmitted initially to humans.

As President Biden announced on May 26, he has tasked the intelligence community to redouble its efforts to collect and analyze information that could bring us closer to a definitive conclusion about the origins of COVID-19. As part of that effort, he has asked for further areas of inquiry that may be required, including specific questions for China, and that this effort include work by our National Labs and other agencies of the government to augment the Intelligence Community's efforts.

Starting in the Fall of 2020, the Department's Bureau of Arms Control, Verification, and Compliance (AVC) utilized a contract research entity under an existing funding mechanism to review existing research into COVID-19 origins. On February 19, 2021 the contractor briefed their completed work to Department staff. At that time, the contracted research review was completed. The research was not terminated, and it was shared with others in the Department working on the same issue, in order that they might make additional use of them, as necessary. All relevant parts of the Department, including AVC, continue to work with the interagency on this issue, as needed and directed by the interagency task force established for this purpose.

President Biden has committed to keep working with like-minded partners around the world to press China to participate in a full, transparent, evidence-based international investigation and to provide access to all relevant data and evidence. We look forward to continuing to work with you on this important issue.

We hope this information is helpful to you. Please let us know if we may be of further assistance.

Sincerely,

A handwritten signature in black ink, reading "Naz Durakoglu". The signature is written in a cursive, flowing style.

Naz Durakoglu  
Acting Assistant Secretary  
Bureau of Legislative Affairs



July 8, 2021

The Honorable  
Ron Johnson, Ranking Member  
Permanent Subcommittee on Investigations  
Committee on Homeland Security  
and Governmental Affairs  
United States Senate  
Washington, DC 20510

Dear Senator Johnson:

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Naz Durakoglu  
Acting Assistant Secretary  
Bureau of Legislative Affairs



July 7, 2021

The Honorable  
Cathy McMorris Rodgers  
House of Representatives  
Washington, DC 20515

Dear Ms. McMorris Rodgers:

Thank you for your May 6 letter and interest and support for a comprehensive investigation into the origins of the COVID-19 pandemic. Let me assure you that the Department of State and the Administration share your belief that we need a robust and transparent investigation into the origins of the COVID-19 pandemic. An impartial investigation into the origins and early spread of any novel outbreak is vital to protecting against future health security threats.

The world continues to have serious questions about the earliest days of the COVID-19 pandemic, including its origins. The type of information that would allow the world to distinguish the precise manner by which the SARS-CoV-2 virus was transmitted to humans, whether through a zoonotic jump in nature or as a consequence of a laboratory accident, is now over a year and a half old. The U.S. government continues to press for an effective and thorough “phase 2” investigation by the World Health Organization.

As President Biden announced on May 26, he has tasked the Intelligence Community to redouble its efforts to collect and analyze information that could bring us closer to a definitive conclusion about the origins of COVID-19. As part of that report, he has asked for further areas of inquiry that may be required, including specific questions for China, and that this effort include work by our National Labs and other agencies of the government to augment the Intelligence Community's efforts.

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Naz Durakoglu  
Acting Assistant Secretary  
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