



National Institutes of Health
Freedom of Information Office
Building 31, Room 5B-35
31 Center Drive, MSC 2107
Bethesda, Maryland 20892-2107
phone: (301) 496-5633
fax: (301) 402-4541

Via Email: jeremy.s.wu@gmail.com

May 13, 2022

Jeremy Wu
Co-Organizer
APA Justice Task Force

Re: FOIA Case Number: 56843

Dear Requester:

This is our final response to your Freedom of Information Act (FOIA) request addressed to National Institutes of Health (NIH), dated August 2, 2021, and received in this office on February 5, 2021. You requested a copy of the following records created on or after January 2011:

1. Records containing statistics or data concerning the race, ethnicity, or national origin of scientists who have been “flagged,” subject to scrutiny, or investigated for their purported foreign ties, or records sufficient to show this information.

2. Records containing statistics or data concerning the number of scientists in each of the following categories who have been “flagged,” subject to scrutiny, or investigated as the result of:

- a. NIH cooperation with law enforcement agencies;
- b. anonymous complaints; and
- c. stewardship of NIH program staff,

or records sufficient to show this information.

3. Records containing statistics or data concerning the race, ethnicity, or national origin of scientists in each of the following categories who have been “flagged,” subject to scrutiny, or investigated as the result of:

- a. NIH cooperation with law enforcement agencies;
- b. anonymous complaints; and
- c. stewardship of NIH program staff,

or records sufficient to show this information.

4. Records describing the methods by which individuals subject to NIH scrutiny or investigation were identified for investigation, including but not limited to NIH cooperation with law enforcement agencies, anonymous complaints, and stewardship of NIH program staff.

Please be advised that the FOIA provides the public with a means of requesting specifically named, located, dated, and existing Federal Government records that are not already publicly available. Your request is too broad and does not name specific NIH offices to search from, nor does it provide any examples of studies to search. Therefore, your request is considered an improper request as stipulated in the FOIA and as such, it is being closed. You are welcome to submit another, more succinct request where you specify precisely what records you wish to be searched.

Please also be advised that while we welcome a response clearly defining the scope of the request, the descriptions in the present request suggest that they seek records in connection with ongoing investigations. If that is the case, it is probable that any eventual perfected request will be denied.

Please feel free to call 301-496-5633 for additional information or to inquire about your request.

If you are not satisfied with the processing and handling of this request, you may contact the OD FOIA Public Liaison and/or the Office of Government Information Services (OGIS):

NIH FOIA Public Liaison

Denean Standing-Ojo
Public Affairs Specialist
Office of Communications and Public Liaison
Building 31, Room 5B52S
31 Center Drive
Bethesda, MD 20814
301-496-5077 (phone)
301-496-0818 (fax)
nihfoia@od.nih.gov (email)

OGIS

National Archives and Records Admin
8601 Adelphi Rd - OGIS
College Park, MD 20740-6001
202-741-5770 (phone)
1-877-684-6448 (toll-free)
202-741-5769 (fax)
ogis@nara.gov (email)

In certain circumstances, provisions of the FOIA and HHS FOIA Regulations allow us to recover part of the cost of responding to your request. Because no unusual circumstances apply to the processing of your request, there are no charges for search time.

Sincerely,

Roger Bordine

Roger Bordine
Freedom of Information Office, NIH