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## FOI to CDC re: proof of Legionnaires' causation

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Christine Massey <cmssyc@gmail.com>  
To: "FOIA Requests (CDC)" <FOIARequests@cdc.gov>  
Cc: hans.vestberg@verizon.com

June 4, 2022

To:  
Roger Andoh  
Freedom of Information Officer  
1600 Clifton Rd NE MS T-01  
Atlanta, Georgia 30333  
Email: FOIARequests@cdc.gov  
Phone: 770-488-6277  
Fax: 770-488-6200

Dear Mr. Andoh,

I require access to general records, as per the *Freedom of Information Act*.

According to the CDC:  
"Legionnaires' ... disease is a serious type of pneumonia (lung infection) caused by Legionella... bacteria. People can get sick when they breathe in small droplets of water or accidentally swallow Legionella into the lungs." <https://www.cdc.gov/legionella/index.html>

### Description of Requested Records:

All studies and/or reports in the possession, custody or control of Rochelle P. Walensky, Debra Houry, the people responsible for the above claim regarding Legionnaires' disease and/or the Center for Disease Control and Prevention (CDC) and/or the Agency for Toxic Substances and Disease Registry (ATSDR) that describe controlled experiments using purified Legionella bacteria to prove causation

Please note that I am not requesting studies/reports where researchers failed to:

- Use valid controls
- Satisfy all 4 Koch's Postulates

I have provided all 4 Koch's Postulates as a reference.

### Koch's postulates

Koch's postulates are the following:

1. The microorganism must be found in abundance in all organisms suffering from the disease, but should not be found in healthy organisms.
2. The microorganism must be isolated from a diseased organism and grown in pure culture.
3. The cultured microorganism should cause disease when introduced into a healthy organism.
4. The microorganism must be reisolated from the inoculated, diseased experimental host and identified as being identical to the original source agent.

I am not seeking records that dispute or fail to satisfy Koch's postulates, nor records that attempt to prove causation of the disease using unscientific methods. I am only seeking records that describe scientific methods including valid control groups.

My request includes any study/report matching the above description, **authored by anyone, anywhere.**

If any records match the above description of requested records and are currently available to the public elsewhere, please provide enough information about each record so that I may identify it with certainty (i.e. title, author(s), date, journal, where the public may access it). Please provide URLs where possible.

### Format:

PDF documents sent to me via email; I do not wish for anything to be shipped to me.

### Contact Information:

Last name: Massey  
First name: Christine  
Address: [REDACTED] Peterborough, ON, Canada  
Phone: [REDACTED]  
Email: cmssyc@gmail.com

Thank you in advance and best wishes,  
Christine Massey, M.Sc.



Christine Massey <cmssyc@gmail.com>

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## Your CDC FOIA Request #22-01631-FOIA

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**MNHarper@cdc.gov** <MNHarper@cdc.gov>  
To: cmssyc@gmail.com

Mon, Jun 6, 2022 at 12:15 PM

June 6, 2022

Request Number: 22-01631-FOIA

Dear Ms. Massey:

This is regarding your Freedom of Information Act (FOIA) request of June 4, 2022, for All studies and/or reports in the possession, custody or control of Rochelle P. Walensky, Debra Houry, the people responsible for the above claim regarding Legionnaires' disease and/or the Centers for Disease Control and Prevention (CDC) and/or the Agency for Toxic Substances and Disease Registry (ATSDR) that describe controlled experiments using purified Legionella bacteria to prove causation of Legionnaires' disease. Please note that I am not requesting studies/reports where researchers failed to: • Use valid controls • Satisfy all 4 Koch's Postulates.


Please see the attached letter.

Sincerely,  
CDC/ATSDR FOIA Office  
770-488-6399

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### 2 attachments

 **FOI to CDC re\_ proof of Legionnaires' causation.msg**  
216K

 **Acknowledgement (Complex) 30 Days.pdf**  
96K



June 6, 2022

Christine Massey

[REDACTED]  
Peterborough, Ontario  
Via email: cmssyc@gmail.com

Dear Ms. Massey:

The Centers for Disease Control and Prevention and Agency for Toxic Substances and Disease Registry (CDC/ATSDR) received your attached Freedom of Information Act (FOIA) request dated June 4, 2022. Your request assigned number is 22-01631-FOIA, and it has been placed in our complex processing queue.

In unusual circumstances, an agency can extend the twenty-working-day limit to respond to a FOIA request.

We will require more than thirty working days to respond to your request because we reasonably expect that two or more CDC centers, institutes, and offices (C/I/Os) may have responsive records.

To process your request promptly, please consider narrowing the scope of your request to limit the number of responsive records. If you have any questions or wish to discuss reformulation or an alternative time frame for the processing of your request, you may contact the analyst handling your request Mark Harper at 770-488-8154 or our FOIA Public Liaison, Roger Andoh at 770-488-6277. Additionally, you may contact the Office of Government Services (OGIS) to inquire about the FOIA mediation services they offer. The contact information for OGIS is as follows: Office of Government Information Services; National Archives and Records Administration; 8601 Adelphi Road-OGIS; College Park, Maryland 20740-6001; e-mail at [ogis@nara.gov](mailto:ogis@nara.gov); telephone at 202-741-5770; toll free at 1-877-684-6448; or facsimile at 202-741-5769.

Because you are considered an "Other requester" you are entitled to two hours of free search time, and up to 100 pages of duplication (or the cost equivalent of other media) without charge, and you will not be charged for review time. We may charge for search time beyond the first two hours and for duplication beyond the first 100 pages. (10 cents/page).

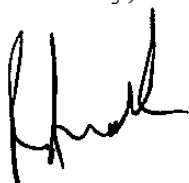
If you don't provide us with a date range for your request, the cut-off date for your request will be the date the search for responsive records starts.

You may check on the status of your case on our FOIA webpage <https://foia.cdc.gov/app/Home.aspx> and entering your assigned request number. If you have any questions regarding your request, please contact me at 770-488-8154 or via email at [wzi6@cdc.gov](mailto:wzi6@cdc.gov).

We reasonably anticipate that you should receive documents by August 26, 2022. Please know that this date roughly estimates how long it will take the Agency to close requests ahead of your request in the queue and complete work on your request.

The actual date of completion might be before or after this estimated date.

Sincerely,

A handwritten signature in black ink, appearing to read 'R. Andoh', with a stylized flourish at the end.

Roger Andoh  
CDC/ATSDR FOIA Officer  
Office of the Chief Operating Officer  
(770) 488-6399  
Fax: (404) 235-1852

Enclosure

22-01631-FOIA



Christine Massey <cmssyc@gmail.com>

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## Your CDC FOIA Request #22-01631-FOIA

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**MNHarper@cdc.gov** <MNHarper@cdc.gov>  
To: cmssyc@gmail.com

Fri, Jun 10, 2022 at 7:08 AM

June 10, 2022

Request Number: 22-01631-FOIA

Dear Ms. Massey:

This is regarding your Freedom of Information Act (FOIA) request of June 4, 2022, for All studies and/or reports in the possession, custody or control of Rochelle P. Walensky, Debra Houry, the people responsible for the above claim regarding Legionnaires' disease and/or the Centers for Disease Control and Prevention (CDC) and/or the Agency for Toxic Substances and Disease Registry (ATSDR) that describe controlled experiments using purified Legionella bacteria to prove causation of Legionnaires' disease. Please note that I am not requesting studies/reports where researchers failed to: • Use valid controls • Satisfy all 4 Koch's Postulates.

Please see the attached letter.

Sincerely,  
CDC/ATSDR FOIA Office  
770-488-6399



**Final Response No Records.pdf**  
186K



Centers for Disease Control  
and Prevention (CDC)  
Atlanta GA 30333  
June 9, 2022

Ms. Christine Massey

[REDACTED]  
Peterborough, ON

Via email: cmssyc@gmail.com

Dear Ms. Massey:

This letter is in response to your Centers for Disease Control and Prevention and Agency for Toxic Substances and Disease Registry (CDC/ATSDR) Freedom of Information Act (FOIA) request of June 4, 2022, for:

*I require access to general records, as per the Freedom of Information Act.*

*According to the CDC:*

*"Legionnaires' ... disease is a serious type of pneumonia (lung infection) caused by Legionella... bacteria. People can get sick when they breathe in small droplets of water or accidentally swallow water containing Legionella into the lungs." <https://www.cdc.gov/legionella/index.html>*

*Description of Requested Records:*

*All studies and/or reports in the possession, custody or control of Rochelle P. Walensky, Debra Houry, the people responsible for the above claim regarding Legionnaires' disease and/or the Centers for Disease Control and Prevention (CDC) and/or the Agency for Toxic Substances and Disease Registry (ATSDR) that describe controlled experiments using purified Legionella bacteria to prove causation of Legionnaires' disease.*

*Please note that I am not requesting studies/reports where researchers failed to:*

- Use valid controls*
- Satisfy all 4 Koch's Postulates*

*I have provided all 4 Koch's Postulates as a reference.*

## Koch's postulates

Koch's postulates are the following:

1. The microorganism must be found in abundance in all organisms suffering from the disease.
2. The microorganism must be isolated from a diseased organism and grown in pure culture.
3. The cultured microorganism should cause disease when introduced into a healthy organism.
4. The microorganism must be reisolated from the inoculated, diseased experimental host and identified as the same agent.

*I am not seeking records that dispute or fail to satisfy Koch's postulates, nor records that attempt to prove causation of the disease using unscientific methods. I am only seeking records that prove causation using valid scientific methods including valid control groups.*

*My request includes any study/report matching the above description, authored by anyone, anywhere.*

*If any records match the above description of requested records and are currently available to the public elsewhere, please provide enough information about each record so that I may identify and access each one with certainty (i.e. title, author(s), date, journal, where the public may access it). Please provide URLs where possible.*

A search of our records failed to reveal any documents pertaining to your request. Specifically, program states as follows:

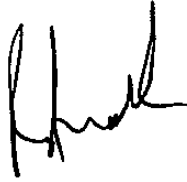
- Legionella was identified as the causative agent of LD in 1979-1980 (famously)
- This is a very broad request. NCIRD - DBD would not have any such records from this time frame. The requestor may choose to undertake an independent literature review.
- The specific statement referenced in the request likely predates Dr. Walensky and Dr. Houry.
- Dr. Walensky nor Dr. Houry reviews and/or post any information to the Legionella website.

You may contact our FOIA Public Liaison at 770-488-6246 for any further assistance and to discuss any aspect of your request. Additionally, you may contact the Office of Government Information Services (OGIS) at the National Archives and Records Administration to inquire about the FOIA mediation services they offer. The contact information for OGIS is as follows: Office of Government Information Services, National Archives and Records Administration, 8601 Adelphi Road-OGIS, College Park, Maryland 20740-6001, e-mail at [ogis@nara.gov](mailto:ogis@nara.gov); telephone at 202-741-5770; toll free at 1-877-684-6448; or facsimile at 202-741-5769.

If you are not satisfied with the response to this request, you may administratively appeal to the Deputy Agency Chief FOIA Officer, Office of the Assistant Secretary for Public Affairs, U.S. Department of Health and Human Services, via the online portal at <https://requests.publiclink.hhs.gov/App/Index.aspx>. Please mark both your appeal letter and envelope "FOIA Appeal."

Your appeal must be electronically transmitted by September 7, 2022 .

Sincerely,

A handwritten signature in black ink, appearing to read 'R. Andoh', with a stylized flourish at the end.

Roger Andoh  
CDC/ATSDR FOIA Officer  
Office of the Chief Operating Officer  
(770) 488-6399  
Fax: (404) 235-1852

#22-01631-FOIA