



DEPARTMENT OF HEALTH & HUMAN SERVICES

National Institutes of Health  
National Heart Lung and Blood Institute  
Management Policy Admin Services Branch  
Building 31, Room 5A33  
31 Center Drive, MSC 2490  
Bethesda, Maryland 20892-2490

September 3, 2003

William L. Kovacs  
Vice President  
Environment, Technology & Regulatory Affairs  
Chamber of Commerce of the United States of America  
1615 H. Street, N.W.  
Washington, D.C. 20062

Richard L. Hanneman  
President  
The Salt Institute  
Fairfax Plaza, Suite 600  
700 North Fairfax Street  
Alexandria, VA 22314-2040

FOIA Case Number: 2003-059/29148

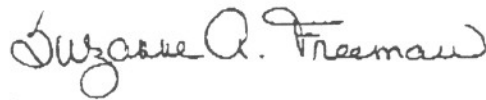
Dear Messrs. Kovacs and Hanneman:

This is in regards to your May 14 letter which was forwarded to my office under the cover letter dated August 19, from Carl A. Roth, Ph.D., LL.M, Associate Director for Scientific Program Operation, and will be treated as a Freedom of Information Act (FOIA) request. You requested the National Heart, Lung, and Blood Institute (NHLBI) to make publicly available all DASH-Sodium blood pressure data for each subgroup relating to those participants at each of three levels of dietary sodium intake, including the missing 2,400 mg/day intake level, on both the control diet and DASH diet. The NHLBI, Division of Epidemiology and Clinical Applications/Prevention Scientific Research Group conducted a search for records and documents responsive to your request and have determined that no such records or documents are in the possession of NHLBI. The grants that were funded, for the DASH, were Cooperative Agreements which did not require the investigators to share their data with the National Institutes of Health (NIH).

While we believe that an adequate search of appropriate files was conducted for the records you requested, you have the right to appeal this determination that no records exist which would be responsive to your request. Should you wish to do so, you must send your appeal within 30 days of receipt of this letter to the Deputy Assistant Secretary for Public Affairs (Media), Department of Health and Human Services, Room 13C-24, Parklawn Building, 5600 Fishers Lane, Rockville, Maryland 20857, following the procedures outlined in Subpart C of the enclosed Freedom of Information regulation (45 CFR Part 5). Please mark both the envelope and the appeal letter "FOIA Appeal."

To clarify further Dr. Roth's statement concerning individual requests for data produced under an NIH grant, this is to inform you that the provisions of the Office of Management and Budget (OMB) Revised Circular A110 apply to data: 1) First produced under a new or competing continuing grant awarded after April 17, 2000; and 2) Cited publicly and officially by the Federal Government in support of an agency action that has the force and effect of law. Both of these conditions must be met before the NIH will forward a request to the grantee for response. The DASH grants were competitively awarded in February 1997 and were funded for five subsequent years without further competition. Therefore, the databases do not meet the above conditions for release.

Sincerely yours,

A handwritten signature in cursive script that reads "Suzanne A. Freeman".

Suzanne A. Freeman  
Freedom of Information Coordinator, NHLBI

Enclosure