



**EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF NATIONAL DRUG CONTROL POLICY
Washington, D.C. 20503**

**OFFICE OF LEGAL COUNSEL
FREEDOM OF INFORMATION ACT ANNUAL REPORT**

Fiscal Year 1998

In case of questions concerning the annual FOIA Report, please contact:

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General Counsel
Office of Legal Counsel
750 17th Street, NW Room 848
Washington, D.C., 20503
(20) 395-6709

Electronic address for report on the World Wide Web:

<http://www.whitehousedrugpolicy.gov/foia>

How to Make a FOIA Request:

A request made under the FOIA must be submitted in writing, by mail or fax, to the following address:

Office of Legal Counsel
Attn: General Counsel
750 17th Street, N.W.
Washington, D.C. 20503
Phone: (202) 395-6622
Fax: (202) 395-5543

- Definitions of terms used in this report can be found at the end of this report.

Exemption 3 Statutes

No Exemption 3 statutes have been used by the Office of Legal Counsel during the past fiscal year.

Initial FOIA/PA Access Requests:

All access requests, whether first-party or third-party are included.

A. Numbers of initial requests:

- Number of request pending as of end of preceding fiscal year: 0
- Number of request received during current fiscal year: 22
- Number of requests processed during current fiscal year: 22
- Number of requests pending as of end of current fiscal year: 0

B. Disposition of initial requests.

- Number of total grants: 0
- Number of partial grants: 0
- Number of denials: 1

a. number of times each FOIA exemption used (counting each exemption once per request)

(1) Exemption 1: 0

(2) Exemption 2: 0

(3) Exemption 3: 0

(4) Exemption 4: 0

(5) Exemption 5: 2

(6) Exemption 6: 2

(7) Exemption 7(A): 2

(8) Exemption 7(B): 0

(9) Exemption 7(C): 0

(10) Exemption 7(D): 0

(11) Exemption 7(E): 0

(12) Exemption 7(F): 0

(13) Exemption 8: 0

(14) Exemption 9: 0

- Other reasons for nondisclosure (total):

a. no records:

b. referrals:

c. request withdrawn:

d. fee-related reason:

e. records not reasonably described:

f. not a proper FOIA request for some other reason:

g. not an agency record:

h. duplicate request:

i. other (specify):

Appeals of Initial Denials of FOIA/PA Requests

Again, all access requests, whether first-party or third-party, are included.

A. Numbers of appeals.

- Number of appeals received during fiscal year: 1
- Number of appeals processed during fiscal year: 1

B. Disposition of appeals.

- Number completely upheld: 1
- Number partially reversed:
- Number completely reversed:

a. number of times each FOIA exemption used
(counting each exemption once per appeal)

(1) Exemption 1: 0

(2) Exemption 2: 0

(3) Exemption 3: 0

- (4) Exemption 4: 1 -Competitive harm and impairment: Appellate raised no new issues. Appellate took no further action as a result of this appeal.
- (5) Exemption 5: 0
- (6) Exemption 6:
- (7) Exemption 7(A): 0
- (8) Exemption 7(B): 0
- (9) Exemption 7(C): 0
- (10) Exemption 7(D): 0
- (11) Exemption 7(E): 0
- (12) Exemption 7(F): 0
- (13) Exemption 8: 0
- (14) Exemption 9: 0

Compliance with Time Limits/Status of Pending Requests:

Requests are counted from the time at which a request is “perfected.”

A. Median processing time for requests processed during the year.

- 1. number of requests processed: 22
- 2. median number of days to process: 8

No requests were afforded expedited processing.

B. Status of pending requests.

- 1. Number of requests pending as of end of current fiscal year: 0
- 2. Median number of days that such request were pending as of that date: 0

Costs/FOIA Staffing:

A. Staffing levels.

- 1. Number of full-time FOIA personnel: 0
- 2. Number of personnel with part-time or occasional FOIA duties (in total work-years) 2
- 3. Total number of personnel (in work-years) .5

Note: The employees performing the search of records in each division varies depending upon the type and scope of search being conducted. Therefore, we have only included the personnel performing the review in the FOIA Office.

B. Total costs (including staff and all resources).

Search and review time/fees are tracked when the requester is to incur processing fees. Search and review time is not tracked if charges are to be waived.

Litigation fees are not tracked.

Fees:

A. Total amount of fees collected by agency for processing requests: \$0

B. Percentage of total costs: 0%

(Note: Search and review time is not tracked if charges are to be waived.)