

Freedom of Information Annual Report - 1998

- I. AGENCY: CDC/ATSDR
REPORT PREPARED BY: Lynn Armstrong
TITLE: CDC/ATSDR FOIA Officer
ADDRESS: 1600 Clifton Road, N.E., Atlanta, GA 30333
PHONE NUMBER: (404) 639-7270 FAX: (404) 639-7395
ELECTRONIC ADDRESS FOR REPORT ON THE WORLD WIDE WEB: URL -
<http://www.cdc.gov/od/foia/foi.htm>
ADDRESS FOR PAPER COPIES OF REPORT: Same as Street Address Above
- II. HOW TO MAKE A FOIA REQUEST Mail/Fax to Address Below (Describe or provide electronic address for instructions in FOIA reference guide)
 - A. Names, addresses, and telephone numbers of all individual agency components and offices that process FOIA requests (do not include coordinating offices; do not use persons' names -only titles):

CDC/ATSDR FOIA Office - Lynn Armstrong, FOIA Officer
1600 Clifton Road, N.E , MS-D54
Atlanta, GA 30333 Phone (404) 639-7270 Fax (404) 639-7395
 - B. Brief description of agency's response time range(s):

Median time in 1998 was 21 days
 - C. Brief description of why some requests are not granted:

Documents, or portions thereof, were protected by an exemption and release would caused harm to the interest protected by the exemption
- III. DEFINITIONS OF TERMS AND ACRONYMS USED IN REPORT:
 - A. Agency-specific acronyms or other terms:

CDC - Centers for Disease Control and Prevention
ATSDR - Agency for Toxic Substances and Disease Registry
 - B. Basic terms (from FOIA UPDATE Summer 1997):

List is on the Department's website
- IV. EXEMPTION 3 STATUTES:
 - A. List of Exemption 3 statutes relied on by the agency during report year:
 1. Guarantee of Confidentiality, PHS Act, 42 USC 242m(d) Section 308(d)
 2. National Defense Authorization Act, Section 821(b)
 3. Ethics in Government Act, 18 USC 208
 4. Federal Transfer Technology Act of 1986 15 USC 3710a(c)(7)(A)
 5. Brief description of type(s) of information withheld under each statute:
 1. Personal patient information
 2. Proposals not incorporated into agency contracts

3. Financial disclosure forms/personal financial interest
 4. Commercial/confidential information obtained from private-sector partner
 6. Has a court upheld the use of each statute? If so, cite example:
- V. INITIAL FOIA/PA ACCESS REQUESTS (Include all requests, 3rd or 1st party):
(All following data for report compiled 12/16/98.)
- A. Numbers of initial requests (line 1 + line 2 -line 3 = line 4):
 1. Number of requests pending at close of preceding fiscal year: 99
 2. Number of requests received during reporting fiscal year: 1047
 3. Number of requests processed during reporting fiscal year: 1045
(Includes late FY '97 responses)
 4. Number of requests pending at close of reporting fiscal year: 101
(Enter this number also as Line VII. B. 1.)
 - B. Disposition of Initial FY '98 Requests:

Number granted in full - 446

 1. Number granted in part - 237
(Same as partial denial below)
 2. Number of full and partial denials - 13 full denials
 - a. Number of times each FOIA exemption was used:

Exemption 1

Exemption 2 - 4

Exemption 3 - 12

Exemption 4 - 92

Exemption 5 - 88

Exemption 6 - 169

Exemption 7 - 7

Exemption 8

Exemption 9
 3. Other reasons for non-disclosure (total) 250
 - . no records - 124
 - a. referrals - 33
 - b. request withdrawn - 58
 - c. fee-related reason - 29
 - d. records not reasonably described - 6
 - e. not a proper FOIA request for some other reason
 - f. not an agency record
 - g. duplicate request
 - h. other (specify)
- VI. APPEALS OF INITIAL DENIALS OF FOIA/PA REQUESTS (include all access requests whether first or third party):
- Numbers of Appeals:
1. Number of appeals received during the fiscal year - 43
 2. Number of appeals processed during the fiscal year - 40
- B. Disposition of Appeals:
1. Number completely upheld - 15
 2. Number partially reversed - 1
 3. Number completely reversed - 0

- . Number of times each FOIA exemption used (counting each exemption used once per appeal)

Exemption 1

Exemption 2

Exemption 3 - 3

Exemption 4 - 9

Exemption 5 - 12

Exemption 6 - 17

Exemption 7 - 1

Exemption 7(A) - 1

Exemption 7(B)

Exemption 7(C)

Exemption 7(D)

Exemption 7(E)

Exemption 7(F)

Exemption 8

Exemption 9

4. Other reasons for non-disclosure (total)

- . no records - 10
- a. referrals - 2
- b. request withdrawn - 1
- c. fee-related reason - 5
- d. records not reasonably described
- e. not a proper FOIA request for some other reason
- f. not an agency record
- g. duplicate request
- h. other (specify)

VII. COMPLIANCE WITH TIME LIMITS/STATUS OF PENDING REQUESTS:

A. Median Processing Time for Requests Processed During the Year

1. Simple Requests (if multiple tracks used):
 - . number of requests processed - 946
 - a. median number of days to process - 21
2. Complete Requests (specify for any and all tracks used):
 - . number of requests processed
 - a. median number of days to process
3. Requests Accorded Expedited Processing:
 - . number of requests processed
 - a. median number of days to process

B. Status of Pending Requests (if multiple tracks are being used, report for each track as well as totals).

1. Number of requests pending as of the end of the fiscal year covered in this report (from Line V. A. 4) - 101
2. Median number of days that such requests were pending as of that date - 51

VIII. COMPARISONS WITH PREVIOUS YEARS(S) (Optional):

IX. COSTS/FOIA STAFFING:

A. Staffing levels:

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

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

1. FOIA processing (including appeals) - \$207,547

2. Litigation-related activities (estimated)
 3. Total costs - \$207,547
 4. Comparison with previous year(s) (including percentage of change)
- X. FEES:
 - A. Total amount of fees collected by agency for processing requests: \$58,269
(includes late payments of 1997 fees of \$4,614)
 - B. Percentage of total FY'98 costs: 25.85%
- XI. FOIA REGULATIONS (including fee schedule):
See Department's website