

1997 FOIA Annual Report

Office of Management and Budget Annual Freedom of Information Act (FOIA) Report for FY 1997

January 1, 1997 - September 30, 1997

1. Total number of initial determinations not to comply with a request for records made under subsection 552(a) and the reasons for each determination:

(a) Determination not to comply with part of a request: 9

(b) Determination not to comply with all of a request: 3

Reasons for determinations referenced above:

Exemptions under 552(b)

| Exemption Invoked | Number of Times |
|--------------------------|------------------------|
| 5 USC(b) (5) | 12 |

2. Total number of appeals from adverse initial decisions made pursuant to subsection (a)(6): 5

(a) Number of appeals in which, upon review, request for information was granted in full: 0

(b) Number of appeals in which, upon review, request for information was denied in full: 2

(c) Number of appeals in which, upon review, request was denied in part: 1

Note: One appeal had not been processed at the time this report was prepared and another appeal was made because no responsive documents were found.

Reasons for partial or full denials referenced above:

Exemptions under 552(b)

| Exemption Invoked | Number of Times |
|--------------------------|------------------------|
| 5 USC 552 (b)(5) | 3 |

3. Responsible OMB official cited in letters of initial denial:

Darrell A. Johnson, Deputy Assistant Director for Administration (12)

Responsible OMB official for denial of appeals:

Jacob J. Lew, Deputy Director, OMB (4)

4. Provide the results of each proceeding under subsection (a)(4)(F) and a report of the disciplinary action taken against the officer or employee who was primarily responsible for improperly withholding records or an explanation of why disciplinary action was not taken:

Not applicable

5. Provide an up-to-date copy of all rules or regulations issued pursuant to or in implementation of the Freedom of Information Act (5 USC 552):

Enclosure: 5 CFR Part 1303 and a copy of OMB's proposal to amend 5 CFR Part 1303.

6. Provide a copy of the fee schedule adopted and the total dollar amount of fees collected for making records available:

Total amount of fees collected - \$141.45

Note: Fee schedule part of enclosure (5 CFR Part 1303)

7. Furnish such other information as indicates efforts to administer fully this section:

Not applicable

Note: In the Electronic FOIA Amendments of 1996 (P.L. 104-231), Congress changed the annual reporting period from a calendar year to a fiscal year as of Fiscal Year 1998. The next report will therefore cover Fiscal Year 1998. The current report covers Calendar Year 1997 up to the beginning of Fiscal Year 1998.

Attachments

[Attachments were a copy of OMB's current regulations, as well as its proposed revisions to the FOIA regulations at 5 CFR Part 1303.]