
From: Cornell, Susan (NIH/OD) [E]
Sent: Monday, June 06, 2011 10:42 AM
To: Jaffe, Holli Beckerman (NIH/OD) [E]; Weaver, Gretchen (NIH/OD) [E]
Subject: FW: FOIA 38935 - new NIH-wide request

FYI -

From: Cornell, Susan (NIH/OD) [E]
Sent: Monday, June 06, 2011 10:41 AM
To: /o=NIH/ou=NIHHUB/cn=NIHHub proxy List/cn=SMTP:rm94s@nih.gov; Adams, Kathy (NIH/OD) [E]; Alberts, Lisa (NIH/NIMH) [E]; Austin, Steve (NIH/NIAMS) [E]; Bruff, Susan (NIH/OD) [E]; Carson, Ethel (NIH/OD) [E]; Cravedi, Kathleen (NIH/NLM) [E]; Czajkowski, Jennifer (NIH/CIT) [E]; Ellis, Isabel (NIH/NIAAA) [E]; Freeman, Suzanne (NIH/NHLBI) [E]; Harrington, Chanta (NIH/OD/ORS) [E]; Malave, Wanda (NIH/OD/ORS) [E]; Margaret Snyder; McGrath, John (NIH/NICHHD) [E]; Milliard, Suzanne (NIH/NCI) [E]; Minneman, Kim (NIH/NIEHS) [E]; Moore, Marg (NIH/NIAID) [E]; Palmquist, Lanette (NIH/NIDA) [E]; Peterson, Trevor (NIH/NEI) [E]; Reuss, Reaya (NIH/NIDCD) [E]; Riddick, Deshawn (NIH/CC/OD) [E]; Robert Jambou
Cc: Bartok, Lauren (NIH/OD) [C]; Brenda Butler; Caldwell Connie (E-mail)
Subject: FOIA 38935 - new NIH-wide request

Attached is a FOIA request from Isaac Wolf for input. As you can see from the request, Mr. Wolf is requesting a copy of every SF 278 on file with the agency. Please work with the Ethics Coordinator for your IC to search for and produce these records. Mr. Wolf has completed an OGE 201 form which we have in the FOIA Case file.

To make this as efficient as possible, here are few general principles for processing this request:

- The records requested are 278s filed in 2005 through 2011 reporting activity for CY 2004 – 2010. For those of you unfamiliar with 278s, they are filed in May of each year and include information from the previous Calendar Year. In other words, the report filed in May 2011 captures activity for calendar year 2010. Each report is reviewed and then certified. The records retention period for 278s is 6 years so your search may not produce any reports filed in 2005.
- Please produce the earlier years first. Because the 2011 reports have not been certified yet, producing the earlier reports will enable us to make partial releases while the reports filed last month are certified by the ethics offices.
- Please produce all reports on file. This includes the annual report and any other reports such as New Entrant reports and Termination reports.
- Please produce just the 278s. Do not produce any cover sheets, work sheets or print-outs from an internal tracking system. Do not produce any 520s.
- The NIH Ethics Office maintains the forms for the “Top 5” for each IC, so that office will produce those forms.
- Please provide a table listing every filer for whom you are producing reports. If you do not have a report for every year, please include an explanation such as - filer left NIH, filer was converted to 450 filing status, filer has an extension for current report, whatever the case may be.
- Because NIH is required to maintain 278s for 6 years, please provide all the reports you have, even if the filer is no longer an NIH employee.
- Although the most recent years can be printed from NEES (NIH Enterprise Ethics System), it is my understanding that some reports maintained in NEES may have been modified after being certified and the final version is actually a hard copy. Therefore, make sure you produce the final version of each report.

- Review the reports and redact purely personal information such as account numbers and names of spouses and dependent children. Although the report does not ask for that type of information, filers sometimes include it on their form. The requester has amended his request to exclude personal information. If you have any questions about whether to redact something, please contact the NIH FOIA Office.
- The cut-off date for this search is when you cast the net with your ethics office – hopefully everyone will do that today so that we're all using the same cut-off date.

Holli Beckman Jaffe, the NIH Ethics Officer and Gretchen Weaver, NIH Ethics Counsel, are aware of this request. Holli will be discussing it with the IC Ethics Coordinators at a meeting this morning.

If you have any questions about this request, please let me know. I have informed Mr. Wolf that it could take 3 or more years to complete processing this request.

Thanks,

Susan

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