



February 1, 2000

Office of Information and Privacy
U.S. Department of Justice
10th Street & Constitution Avenue, N.W.
Washington, D.C. 20530-0001

Dear Sir or Madam:

In compliance with 5 U.S.C. Section 552(e), please find enclosed the Annual Report of the United States International Trade Commission on its activities under the Freedom of Information Act.

Sincerely,

Donna R. Koehnke
Secretary
Enclosure

**Annual FOIA Report for FY1999
of the**

United States International Trade Commission

I. Basic Information Regarding Report:

A. Name of Freedom of Information Act Officer:

Donna R. Koehnke
Secretary

U.S. International Trade Commission
500 E. Street, S.W.

Washington, D.C. 20436
Telephone: (202) 205-2000

B. Electronic Address:

www.usitc.gov/foiarpts.htm

C. How to obtain a copy of the report in paper form:

Copies of the annual report can be obtained by writing to:
Secretary

U.S. International Trade Commission
500 E Street, S.W.
Washington, D.C. 20436

II. How to Make a FOIA Request:

A. All FOIA requests are to be addressed to:
Secretary

U.S. International Trade Commission

500 E Street, S.W.

Washington, D.C. 20436

B. The USITC's processing response times normally range from same day of receipt to thirty-nine (39) days.

C. Some requests were not granted based on exemptions 1, 2, 5, 6 and 7.

III. Exemption 3 Statutes

1. The USITC did not rely on Exemption 3. In the past the agency has relied on exemption 3 in withholding confidential business information submitted to the agency in accordance with 19 USC §§ 1337, 1677F, 2252, and 1332.

2. There were no court decisions regarding the use of such statutes this year.

IV. Initial FOIA/PA Access Requests

A. Number of initial requests

1. Number of requests pending as of end of preceding fiscal year: 4

2. Number of requests received during current fiscal year: 84

3. Number of requests processed as of end of current fiscal year: 86

4. Number of request pending as of end of current fiscal year: 2

B. Disposition of initial requests

1. Number of total grants: 44

2. Number of partial grants: 5

3. Number of denials: 4

Number of times each FOIA exemption used

(1) Exemption 1: 1

(2) Exemption 2: 2

(3) Exemption 5: 2

(4) Exemption 6: 4

(5) Exemption 7: 4

4. Other reasons for nondisclosure

a. No records: 17

b. Referrals: 0

c. Request withdrawn: 2

d. Fee-related reason: 1

e. Records not reasonably described: 0

f. Not a proper FOIA request for some reason: 1

g. Not an agency record: 0

h. Duplicate request: 0

i. Other: 12

V. Appeals of Initial Denials of FOIA/PA Requests.

A. Number of appeals.

1. Number of appeals received during fiscal year: 2

2. Number of appeals processed during fiscal year: 2

B. Disposition of appeals.

1. Number completely upheld: 2

2. Number partially reversed: 0

3. Number completely reversed: 0

a. Number of times each FOIA exemption used:

(1) Exemption 1: 1

(2) Exemption 7: 1

VI. Compliance with Time Limits/Status of Pending Requests

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

1. Number of requests processed: 86

2. Median number of days to process: 18

B. Requests accorded expedited processing

No requests were accorded expedited processing.

C. Status of pending requests.

1. Number of requests pending as of end of current fiscal year: 2

2. Median number of days that such requests were pending as of that date: 4

VII. Cost/FOIA Staffing

A. Staffing levels.

1. Number of full-time FOIA personnel: .1

2. Number of personnel with part-time or occasional FOIA duties (in total work-years): .2

3. Total number of personnel (in work-years): .3

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

1. FOIA processing (including appeals): \$7,782

2. Litigation-related activities (estimated): 0

3. Total costs: \$7,782

VIII. Fees

A. Total amount of fees collected by agency for processing requests: \$1521.50

B. Percentage of total costs: 19.5%

IX. FOIA Regulations (Including Fee Schedule):

USITC agency guide is at www.usitc.gov/foiaguide.htm