Carl Malamud  
President & CEO  
Public.Resource.Org  
1005 Gravenstein Highway North  
Sebastopol, California 95472  

Re: FOIA Request 2009-4071  

Dear Mr. Malamud:  

As requested in your Freedom of Information request dated May 20, 2009, we are enclosing material from the Office of the Chief Counsel that responds to your request.  

The following charges for this request to date may be included in a monthly invoice:  

<table>
<thead>
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<th>Reproduction</th>
<th>Search</th>
<th>Review</th>
<th>Fiche</th>
<th>Other</th>
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The above total may not reflect final charges for this request. Please do not send payment unless you receive an invoice.  

All communications concerning this request should be identified with the reference number above and addressed as follows:  

Food and Drug Administration  
Division of Freedom of Information, HFI-35  
5600 Fishers Lane, Room 6-30  
Rockville, MD 20857
Sincerely yours,

Ann H. Wion
Deputy Chief Counsel
for Program Review

Enclosure

cc: HFI-35
DEPARTMENT OF HEALTH AND HUMAN SERVICES
Food and Drug Administration

INTERAGENCY AGREEMENT

1. IAG NO. (FDA) 224-95-8003
2. TYPE OF AGREEMENT [□ New □ Mod □ Administrative □ No Cost Ext.] 17
3. MODIFICATION NO.

4. TITLE OF PROJECT
Westlaw and LEXIS On-Line Legal Research Services

5. SECURITY CLAUSE APPLIES [□ Yes (See attached) □ No]

6. DESCRIPTION OF WORK - ATTACHED
Attached

7. AMOUNT
$74,096.00

8. NAME AND ADDRESS OF PARTICIPATING FEDERAL AGENCY
OS/Office of the General Counsel
330 independence Ave., SW, Room 700E
Washington, DC 20201

9. LIAISON TO PARTICIPATING FEDERAL AGENCY
a. Name
Susan M. Panasik
b. Phone No.
(202) 619-0190
c. E mail:
d. FAX No.

10. NAME AND ADDRESS OF PARTICIPATING FDA UNIT
FDA/Office of Chief Counsel
5600 Fishers Lane, Rm. 6A05
Rockville, MD 20857

11. LIAISON TO PARTICIPATING FDA UNIT
a. Name
Kelley Biser
b. Phone No.
(301) 827-1187
c. E mail:
d. FAX No.

12. PERIOD OF AGREEMENT
FROM: October 1, 2008 THROUGH: September 30, 2009

This agreement may be terminated by either party upon a thirty day advance written notice. If this Agreement is funded by the FDA, FDA will retain title for any equipment procured under this agreement, unless otherwise justified in the statement of work.

13. AUTHORITY (FDA)
[□ Section 301 of the Public Health Service Act (42 USC 241)]
[□ Other (specify)]

14. AUTHORITY (Other Agency)

15. FDA FUNDING INFORMATION
[□ Increase from $___________ by $74,096.00 to $74,096.00]
[□ Decrease from $___________ by $___________ to $___________]

16. Administrative billing requirements will comply with GAO Policy and Procedures, Title 7, Section 8.4

[□ Billing: X IPAC system FDA ALC 75060099 Other Agency ALC ____________]
[ □ SF 1090 - FDA Accounting (HFA-120) 5600 Fishers Lane, Rockville, MD 20857]

17. PARTICIPATING AGENCY FUNDING INFORMATION (This block must be completed if funding is being provided to the FDA.)
Note: a. Legal authority for the acquisition of supplies/services exists within your agency.
b. This action does not conflict with any other agency's authority or responsibility.

18. PARTICIPATING AGENCY IS
[□ Required to sign] [□ Not required to sign]

19. FDA ACCEPTANCE
NAME: ________________________________
TITLE: ________________________________
DATE: ________________________________

20. PARTICIPATING AGENCY ACCEPTANCE
NAME: Susan M. Panasik
TITLE: Legal Information Manager
DATE: 10/29/08
INTERAGENCY AGREEMENT
BETWEEN THE
FOOD AND DRUG ADMINISTRATION (FDA)
AND THE
OFFICE OF THE GENERAL COUNSEL (OGC)
DEPARTMENT OF HEALTH AND HUMAN SERVICES

This agreement sets forth the terms under which the Food and Drug Administration (FDA) is to reimburse the Office of the General Counsel (OGC) for WESTLAW, LEXISNEXIS, and PACER usage. In addition, this agreement authorizes the transfer of funds to the OGC when certain economies can be realized through joint purchases of publications and subscriptions.

I. PURPOSE

The OGC will fund and manage WESTLAW and LEXISNEXIS, BNA, and PACER contracts on behalf of the Office of the General Counsel Food and Drug Division (FDD). The FDA will transfer funds to cover FDD's portion of the charges for use of these online services. The charges will consist of two components: a proportion of OGC's fixed rate charges for FY 2009 for each service plus a reimbursement of any FDD usage not covered under the fixed rate agreements. Additional monies will fund FDD's use of the PACER system for tracking the status of court cases and provision of other services to the FDD library. Finally, FDA will reimburse OGC for any expenditures made for the FDD in order to obtain savings through joint purchases of publications and subscriptions.

II. PERIOD OF PERFORMANCE

This agreement covers the period October 1, 2008 to September 30, 2009.

III. AUTHORITY

This agreement is authorized by 31 U.S.C. 1535 (the Economy Act).

IV. FINANCIAL PROVISIONS

FDA will transfer the sum of Seventy-Four Thousand Ninety-Six Dollars ($74,096.00) to the OGC as follows:

1.) The sum of Forty-Eight Thousand Dollars ($48,000.00) will cover the FDD share of the fixed rate contracts with WESTLAW for FY 2009.

2.) The sum of Twenty-One Thousand Six Hundred Dollars ($21,600.00) will cover the FDD share of the fixed rate contracts with LEXISNEXIS for FY 2009.

3.) The sum of One Thousand Dollars ($1,000.00) will be used for non-fixed rate usage. The OGC may request additional funds for non-fixed rate usage if usage exceeds this amount.

4.) The sum of Two Thousand Dollars ($2,000.00) for OGC's projected PACER use by FDA personnel for the period of the agreement.

5.) The sum of One Thousand Five Hundred Dollars ($1,500.00) for BNA's U.S. Law Week subscription.
FDA agrees that the transfer of monies for online services and the library services will take place within thirty days of the date of the last signature affixed hereto.

From: FDA

<table>
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<th>7590600</th>
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To: OGC

<table>
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<tr>
<td>ALC</td>
<td>75030030</td>
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</table>

V. APPROVAL AND ACCEPTANCE

Approved and accepted for FDA

By: [Signature]

Date: 10/29/08

Approved and accepted for Office of the General Counsel

By: [Signature]

Date: 11/21/08

Joseph J. Smith
Executive Officer

Paul R. Johnson
Chief Operating Officer
# INTERAGENCY AGREEMENT

1. **IAG NO. (FDA)**
   - 224-95-8003

2. **TYPE OF AGREEMENT**
   - ☑ Mod
   - ☐ Administrative
   - ☐ No Cost Ext.

3. **MODIFICATION NO.**
   - 16

4. **TITLE OF PROJECT**
   - Westlaw and LEXIS On-Line Legal Research Services

5. **SECURITY CLAUSE APPLIES**
   - ☐ Yes (See attached)
   - ☑ No

**DESCRIPTION OF WORK - ATTACHED**

**7. AMOUNT**

| $68,750.00 |

8. **NAME AND ADDRESS OF PARTICIPATING FEDERAL AGENCY**
   - OS/Office of the General Counsel
   - 330 Independence Ave., SW, Room 700E
   - Washington, DC 20201

9. **LIASON TO PARTICIPATING FEDERAL AGENCY**
   - a. Name: Susan M. Panasik
   - b. Phone No.: (202) 619-0190
   - c. E mail:
   - d. FAX No.: ( )

10. **NAME AND ADDRESS OF PARTICIPATING FDA UNIT**
    - FDA/Office of Chief Counsel
    - 5600 Fishers Lane
    - Rockville, MD 20857

11. **LIASON TO PARTICIPATING FDA UNIT**
    - a. Name: Kelley Biser
    - b. Phone No.: (301) 827-1167
    - c. E mail:
    - d. FAX No.: ( )

12. **PERIOD OF AGREEMENT**
    - FROM: October 1, 2007
    - THROUGH: September 30, 2008

This agreement may be terminated by either party upon a thirty day advance written notice. If this Agreement is funded by the FDA, FDA will retain title for any equipment procured under this agreement, unless otherwise justified in the statement of work.

13. **AUTHORITY (FDA)**
    - ☑ Economy Act approved June 30, 1932, as amended by 31 U.S.C. 1635
    - ☐ Section 301 of the Public Health Service Act (42 USC 241)
    - ☐ Other (specify)

14. **AUTHORITY (Other Agency)**

15. **FDA FUNDING INFORMATION**
    - ☑ Increase from $ 0.00 to $ 68,750.00
    - ☑ Decrease from $ 0.00 to $ 68,750.00

16. **Administrative billing requirements will comply with GAO Policy and Procedures, Title 7, Section 6.4**
    - ☑ Billing: IPAC system FDA ALC 7508009 Other Agency ALC
    - ☐ SF 1080 - FDA Accounting (HFA-120) 5600 Fishers Lane, Rockville, MD 20857

17. **PARTICIPATING AGENCY FUNDING INFORMATION (This block must be completed if funding is being provided to the FDA)**
    - Note: a. Legal authority for the acquisition of supplies/services exists within your agency.
    - b. This action does not conflict with any other agency's authority or responsibility.

18. **PARTICIPATING AGENCY IS**
    - ☑ Required to sign
    - ☐ Not required to sign

19. **FDA ACCEPTANCE**
    - NAME: 
    - TITLE: 
    - DATE: 

20. **PARTICIPATING AGENCY ACCEPTANCE**
    - NAME: Susan M. Panasik
    - TITLE: Legal Information Manager, OLR
    - DATE: 3/4/08

FDA 3443 (1/02)
INTERAGENCY AGREEMENT
BETWEEN THE
FOOD AND DRUG ADMINISTRATION (FDA)
AND THE
OFFICE OF THE GENERAL COUNSEL (OGC)
DEPARTMENT OF HEALTH AND HUMAN SERVICES

This agreement sets forth the terms under which the Food and Drug Administration (FDA) is to reimburse the Office of the General Counsel (OGC) for WESTLAW, LEXISNEXIS, and PACER usage. In addition, this agreement authorizes the transfer of funds to the OGC when certain economies can be realized through joint purchases of publications and subscriptions.

I. PURPOSE

The OGC will fund and manage WESTLAW, LEXISNEXIS, and BNA contracts on behalf of the Office of the General Counsel Food and Drug Division (FDD). The FDA will transfer funds to cover FDD’s portion of the charges for use of these online services. The charges will consist of two components: a proportion of OGC’s fixed rate charges for FY 2008 for each service plus a reimbursement of any FDD usage not covered under the fixed rate agreements. Additional monies will fund FDD’s use of the PACER system for tracking the status of court cases and provision of other services to the FDD library. Finally, FDA will reimburse OGC for any expenditures made for the FDD in order to obtain savings through joint purchases of publications and subscriptions.

II. PERIOD OF PERFORMANCE

This agreement covers the period October 1, 2007 to September 30, 2008.

III. AUTHORITY

This agreement is authorized by 31 U.S.C. 1535 (the Economy Act).

IV. FINANCIAL PROVISIONS

FDA will transfer the sum of Sixty-Eight Thousand Seven Hundred and Fifty Dollars ($68,750.00) to the OGC as follows:

1.) The sum of Fifty Thousand Dollars ($50,000.00) will cover the FDD share of the fixed rate contracts with WESTLAW for FY 2008.

2.) The sum of One Thousand Four Hundred Dollars ($1,400.00) will cover the FDD share of the fixed rate contracts with LEXISNEXIS for FY 2008.

3.) The sum of One Thousand Dollars ($1,000.00) will be used for non-fixed rate usage. The OGC may request additional funds for non-fixed rate usage if usage exceeds this amount.

4.) The sum of Two Thousand Dollars ($2,000.00) for OGC’s projected PACER use by FDA personnel for the period of the agreement.

5.) The sum of One Thousand Five Hundred Dollars ($1,500.00) for BNA’s U.S. Law Week subscription.
FDA agrees that the transfer of monies for online services and the library services will take place within thirty days of the date of the last signature affixed hereto.

From: FDA
Appropriation: 7580600
CAN: 8-6993830
Object Class: 25308
Amount: $68,750
D&B Number: 927645523
ALC: 75-06-0099

To: OGC
Appropriation: 7580120
CAN: 8-1990598
Object Class: 25308
Amount: $68,750
D&B Number: 863192033
ALC: 75030030

V. APPROVAL AND ACCEPTANCE

Approved and accepted for FDA
By: [Signature]
Joseph T. Smith
Executive Officer
Date: 2/26/08

Approved and accepted for the Office of the General Counsel
By: [Signature]
Paul R. Johnson
Chief Operating Officer
Date: 2/27/08
DEPARTMENT OF HEALTH AND HUMAN SERVICES
Food and Drug Administration

INTERAGENCY AGREEMENT

1. IAG NO. (FDA) 224-95-8003
2. TYPE OF AGREEMENT: ☑ Mod ☐ Administrative ☐ No Cost Ext.
3. MODIFICATION NO. 15
4. TITLE OF PROJECT
Westlaw and LEXIS On-Line Legal Research Services
5. SECURITY CLAUSE APPLIES ☐ Yes (See attached) ☑ No
6. DESCRIPTION OF WORK - ATTACHED
Unchanged from 04 - Attached
7. AMOUNT
$78,800.00
8. NAME AND ADDRESS OF PARTICIPATING FEDERAL AGENCY
OS/Office of the General Counsel
330 Independence Ave., SW, Room 706E
Washington, DC 20201
9. LIASION TO PARTICIPATING FEDERAL AGENCY
a. Name
Susan M. Panasik
b. Phone No. (202) 619-0190
c. Fax No.
d. Email:
10. NAME AND ADDRESS OF PARTICIPATING FDA UNIT
FDA/Office of Chief Counsel
5800 Fishers Lane
Rockville, MD 20857
11. LIASION TO PARTICIPATING FDA UNIT
a. Name
Kelley Biser
b. Phone No. (301) 827-1187
c. Fax No.
d. Email:
This agreement may be terminated by either party upon a thirty day advance written notice. If this Agreement is funded by the FDA, FDA will retain title for any equipment procured under this agreement, unless otherwise justified in the statement of work.
13. AUTHORITY (FDA)
☑ Economy Act approved June 30, 1832, as amended by 31 U.S.C. 1535
☑ Section 301 of the Public Health Service Act (42 USC 241)
☐ Other (specify) ____________
14. AUTHORITY (Other Agency) ____________
15. FDA FUNDING INFORMATION
☑ Increase from $___________ by $ 78,800.00 to $ 78,800.00___________
☐ Decrease from $___________ by $___________ to $___________
16. Administrative billing requirements will comply with GAO Policy and Procedures, Title 7, Section 6.4
☑ Billing: X IPAC system FDA ALC 75060099 Other Agency ALC ____________
☐ SF 1080 - FDA Accounting (HPA-120) 5800 Fishers Lane, Rockville, MD 20857
17. PARTICIPATING AGENCY FUNDING INFORMATION (This block must be completed if funding is being provided to the FDA.)
Note: a. Legal authority for the acquisition of supplies/services exists within your agency.
   b. This action does not conflict with any other agency's authority or responsibility.
18. PARTICIPATING AGENCY IS ☑ Required to sign ☐ Not required to sign
19. FDA ACCEPTANCE
NAME:  
TITLE:  
DATE:  
20. PARTICIPATING AGENCY ACCEPTANCE
NAME: Susan M. Panasik
TITLE: Legal Information Manager, Ofc. of Legal Resou
DATE: 5/3/07
INTERAGENCY AGREEMENT
BETWEEN THE FOOD AND DRUG
ADMINISTRATION (FDA)
AND THE
OFFICE OF THE GENERAL COUNSEL (OGC)
DEPARTMENT OF HEALTH AND HUMAN SERVICES

This agreement sets forth the terms under which the Food and Drug Administration (FDA) is to reimburse the Office of the General Counsel (OGC) for WESTLAW, LEXISNEKIS, and PACER usage. In addition, this agreement authorizes the transfer of funds to the OGC when certain economies can be realized through joint purchases of publications and subscriptions.

I. PURPOSE

The OGC will fund and manage WESTLAW and LEXISNEKIS contracts on behalf of the Office of the General Counsel Food and Drug Division (FDD). The FDA will transfer funds to cover FDD's portion of the charges for use of these online services. The charges will consist of two components: a proportion of OGC's fixed rate charges for FY 2007 for each service plus a reimbursement of any FDD usage not covered under the fixed rate agreements. Additional monies will fund FDD's use of the PACER system for tracking the status of court cases and provision of other services to the FDD library. Finally, FDA will reimburse OGC for any expenditures made for the FDD in order to obtain savings through joint purchases of publications and subscriptions.

II. PERIOD OF PERFORMANCE

This agreement covers the period October 1, 2006 to September 30, 2007.

III. AUTHORITY

This agreement is authorized by 31 U.S.C. 1535 (the Economy Act).

IV. FINANCIAL PROVISIONS

FDA will transfer the sum of Seventy Six Thousand Eight Hundred Dollars ($76,800.00) to the OGC as follows:

1.) The sum of Seventy Four Thousand Three Hundred Dollars ($74,300.00) will cover the FDD share of the fixed rate contracts with WESTLAW and LEXISNEKIS for FY 2007.

2.) The sum of Five Hundred Dollars ($500.00) will be used for non-fixed rate usage. The OGC may request additional funds for non-fixed rate usage if usage exceeds this amount.

3.) The sum of Two Thousand Dollars ($2,000.00) for OGC's projected PACER use by FDA personnel for the period of the agreement.

FDA agrees that the transfer of monies for online services and the library services will take place within thirty days of the date of the last signature affixed hereto.
From: FDA

To: OGC

Appropriation 7570600
CAN 7-6993830
Object Class 25309
Amount $76,800.00
D&B Number 927645523
ALC 75-06-0099

Appropriation 7570120
CAN 7-1992313
Object Class 25.38
Amount $76,800.00
D&B Number 112463521
ALC 75030030

V. APPROVAL AND ACCEPTANCE

Approved and accepted for FDA
By: [Signature]

Approved and accepted for OGC
By: [Signature]
DEPARTMENT OF HEALTH AND HUMAN SERVICES  
Food and Drug Administration  

INTERAGENCY AGREEMENT

1. IAG NO. (FDA)  
224-95-8003

2. TYPE OF AGREEMENT  
☐ New  ☒ Mod  ☐ Administrative  ☐ No Cost Ext.

3. MODIFICATION NO.  
14

4. TITLE OF PROJECT  
Westlaw and LEXIS On-Line Legal Research Services

5. SECURITY CLAUSE APPLIES  
☐ Yes (See attached)  ☐ No

6. DESCRIPTION OF WORK - ATTACHED  
Unchanged from 04 - Attached

7. AMOUNT  
$60,020.00

8. NAME AND ADDRESS OF PARTICIPATING FEDERAL AGENCY  
OS/Office of the General Counsel  
330 Independence Ave., SW, Room 700E  
Washington, DC 20201

9. LIAISON TO PARTICIPATING FEDERAL AGENCY  
a. Name  SUSAN M. PHILLIPS  
b. Phone No. 202-679-0140  
c. E mail:  
d. FAX No.  

10. NAME AND ADDRESS OF PARTICIPATING FDA UNIT  
FDA/Office of Chief Counsel  
5600 Fishers Lane  
Rockville, MD 20857

11. LIAISON TO PARTICIPATING FDA UNIT  
a. Name  ANNETTE HATTON  
b. Phone No. 301-827-1156  
c. E mail:  
d. FAX No.  

12. PERIOD OF AGREEMENT  
FROM: October 1, 2005  THROUGH: September 30, 2006

This agreement may be terminated by either party upon a thirty day advance written notice. If this Agreement is funded by the FDA, FDA will retain title for any equipment procured under this agreement, unless otherwise justified in the statement of work.

13. AUTHORITY (FDA)  
☒ Economy Act approved June 30, 1932, as amended by 31 U.S.C. 1535  
☐ Section 301 of the Public Health Service Act (42 USC 241)

☐ Other (specify)

14. AUTHORITY (Other Agency)  

15. FDA FUNDING INFORMATION  
☒ Increase  
from $0.00  by $60,020.00  to $60,020.00  
☐ Decrease from  
$  by $  to $0.00


16. Administrative billing requirements will comply with GAO Policy and Procedures, Title 7, Section 8.4  
☒  
Billing:  
IPAC system FDA ALC 75060999 Other Agency ALC  
☐ SF 1080 - FDA Accounting (HFA-120) 5600 Fishers Lane, Rockville, MD 20857

17. PARTICIPATING AGENCY FUNDING INFORMATION (This block must be completed if funding is being provided to the FDA.)  
Note:  
a. Legal authority for the acquisition of supplies/services exists within your agency.  
b. This action does not conflict with any other agency's authority or responsibility.

18. PARTICIPATING AGENCY IS  
☒ Required to sign  ☐ Not required to sign

19. FDA ACCEPTANCE  
NAME: Usha Ganti  
TITLE: Chief Grants Management Officer, FDA  
DATE: 5/1/2006

20. PARTICIPATING AGENCY ACCEPTANCE  
NAME: DONALD E. WATTS  
TITLE: Director, Office of Legal Resources  
DATE: 04/21/2006
INTERAGENCY AGREEMENT
BETWEEN THE FOOD AND DRUG ADMINISTRATION (FDA) AND THE OFFICE OF THE GENERAL COUNSEL (OGC) DEPARTMENT OF HEALTH AND HUMAN SERVICES

This agreement sets forth the terms under which the Food and Drug Administration (FDA) is to reimburse the Office of the General Counsel (OGC) for WESTLAW, LEXISNEXIS, and PACER usage. In addition, this agreement authorizes the transfer of funds to the OGC when certain economies can be realized through joint purchases of publications and subscriptions.

I. PURPOSE

The OGC will fund and manage WESTLAW and LEXISNEXIS contracts on behalf of the Office of the General Counsel Food and Drug Division (FDD). The FDA will transfer funds to cover FDD's portion of the charges for use of these online services. The charges will consist of two components: a proportion of OGC's fixed rate charges for FY 2006 for each service plus reimbursement of any FDD usage not covered under the fixed rate agreements. Additional monies will fund FDD's use of the PACER system for tracking the status of court cases and provision of other services to the FDD library. Finally, FDA will reimburse OGC for any expenditures made for the FDD in order to obtain savings through joint purchases of publications and subscriptions.

II. PERIOD OF PERFORMANCE

This agreement covers the period October 1, 2005 to September 30, 2006.

III. AUTHORITY

This agreement is authorized by 31 U.S.C. 1535 (the Economy Act). Section 301 of the Public Health Service Act (42 USC 241)

IV. FINANCIAL PROVISIONS

FDA will transfer the sum of Sixty Thousand Twenty Dollars ($60,020.00) to the OGC as follows:

1.) The sum of Fifty-Seven Thousand Two Hundred Twenty Dollars ($57,520.00) will cover the FDD share of the fixed rate contracts with WESTLAW and LEXISNEXIS for FY 2006.

2.) The sum of Five Hundred Dollars ($500.00) will be used for non-fixed rate usage. The OGC may request additional funds for non-fixed rate usage if usage exceeds this amount.

3.) The sum of Two Thousand Dollars ($2,000.00) for OGC's projected PACER use by FDA personnel for the period of the agreement.

FDA agrees that the transfer of monies for online services and the library services will take place within thirty days of the date of the last signature affixed hereto.
From: FDA
Appropriation: 7560600
CAN: 6-6993830
Object Class: 2530Q
Amount: $60,020.00
D&B Number: 927645523
ALC: 75-06-0099
EIN: 53-0196965

To: OGC
Appropriation: 7560120
CAN: 6-1992313
Object Class: 25.38
Amount: $60,020.00
D&B Number: 112463521
ALC: 75030030

V. APPROVAL AND ACCEPTANCE

Approved and accepted for FDA
By: [Signature]
Date: 5/1/06

Approved and accepted for the Office of the General Counsel
By: [Signature]
Date: 04/21/2006

Donald B. Watts
Director of Legal Resources
DEPARTMENT OF HEALTH AND HUMAN SERVICES  
Food and Drug Administration  

INTERAGENCY AGREEMENT  

NO. (FDA) 224-95-8003  

2. TYPE OF AGREEMENT  
☐ New  ☑ Mod  ☐ Administrative  ☐ No Cost Ext.  

3. MODIFICATION NO. 13  

4. TITLE OF PROJECT  
Westlaw and LEXIS On-Line Legal Research Services  

5. SECURITY CLAUSE APPLIES  
☐ Yes (See attached)  ☐ No  

6. DESCRIPTION OF WORK - ATTACHED  
Unchanged from 04 - Attached  

7. AMOUNT $80,189.00  

8. NAME AND ADDRESS OF PARTICIPATING FEDERAL AGENCY  
OS/Office of the General Counsel  
330 Independence Ave., SW, Room 700E  
Washington, DC 20201  

10. NAME AND ADDRESS OF PARTICIPATING FDA UNIT  
FDA/Office of Chief Counsel  
5600 Fishers Lane  
Rockville, MD 20857  

9. LIAISON TO PARTICIPATING FEDERAL AGENCY  
a. Name  
Donald E. Watts  
b. Phone No.  
( 202 ) 690 - 7705  
c. E mail:  
(d)  
d. FAX No.  
-  

11. LIAISON TO PARTICIPATING FDA UNIT  
a. Name  
Annette Hatton  
b. Phone No.  
( 301 ) 827 - 1156  
c. E mail:  
(d)  
d. FAX No.  
-  

12. PERIOD OF AGREEMENT  
FROM: October 1, 2004  
THROUGH: September 30, 2005  

This agreement may be terminated by either party upon a thirty day advance written notice. If this Agreement is funded by the FDA, FDA will retain title for any equipment procured under this agreement, unless otherwise justified in the statement of work.  

13. AUTHORITY (FDA)  
☒ Economy Act approved June 30, 1932, as amended by 31 U.S.C. 1535  
☒ Section 301 of the Public Health Service Act (42 USC 241)  
☐ Other (specify)  

15. FDA FUNDING INFORMATION  
☒ Increase  
from $0.00 by $80,189.00 to $80,189.00  

☐ Decrease from $ to $0.00  

25.3Q TAG:  
94151167AP05000  
DUNS:927645523  
ALC: 75060099  
EIN: 530296965  

18. Administrative billing requirements will comply with GAO Policy and Procedures, Title 7, Section 8.4  
☒ Billing: X IPAC system FDA ALC 75060099 Other Agency ALC  
☐ SF 1080 - FDA Accounting (HFA-120) 5600 Fishers Lane, Rockville, MD 20857  

17. PARTICIPATING AGENCY FUNDING INFORMATION (This block must be completed if funding is being provided to the FDA.)  
Note:  
a. Legal authority for the acquisition of supplies/services exists within your agency.  
b. This action does not conflict with any other agency's authority or responsibility.  

19. FDA ACCEPTANCE  

NAME: Rosemary Springer  
TITLE: Chief Grants Management Officer, FDA  
DATE: 8/1/05  

20. PARTICIPATING AGENCY ACCEPTANCE  

NAME: Jeff Math  
TITLE: Director of Legal Resources  
DATE: 7/25/05
# Purchase/Service/Stock Requisition

## Department of Health and Human Services

### Purchase/Service/Stock Requisition

**REQUEST FOR**
- **Purchase**
- **Service**
- **Stock Issue**
- **Rental/Lease**

### Contracts
- **Requesting Organization:** FDA/Office of Chief Counsel
- **For Reference Call:** ANNETTE HATTON
- **Extension:** 301-827-1156
- **Deliver To:** Office of Chief Counsel
- **Address:** RM. 6A03, GCF-1, PKLN BLDG
- **Address:** 5600 Fishers Lane
- **Address:** Rockville, MD 20857

### Details
- **Item No.**
- **Description:** Request for Continuation of Reimbursable Interagency Agreement — Attached
- **Funds Available:** $79,290.00

### Details
- **Funds Available**
  - **Signature/Title:** Management Advisor
  - **Date:** 07/01/04
  - **Total:** $79,290.00

### Details
- **Approved By**
- **Signatures/Title:**
- **Date:** 07/01/04

### Details
- **Recommended Approval**
- **Signatures/Title:**
- **Date:** 07/01/04

### Details
- **Order No. (PO, DO, FEDSTRIP, ETC.):**
- **Date:** 07/01/04

### Details
- **Voucher No.:**
- **Voucher Date:**

---

I certify that the property/services requested are required for Government business, and are not available from excess or current assets.

REQUISITION NUMBER: A05203
OFFICE CODE/SYMBOL: GCF-1

HHS-393 (E) (Rev. 9/00) (CDC Adobe Acrobat 4.0 Electronic Version, 8/2000)
# INTERAGENCY AGREEMENT

<table>
<thead>
<tr>
<th>1. IAG NO. (FDA)</th>
<th>2. TYPE OF AGREEMENT</th>
<th>3. MODIFICATION NO.</th>
</tr>
</thead>
<tbody>
<tr>
<td>224-95-8003</td>
<td>☑ Mod</td>
<td>12</td>
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</table>

<table>
<thead>
<tr>
<th>4. TITLE OF PROJECT</th>
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</thead>
<tbody>
<tr>
<td>WESTLAW and LEXIS On-Line Legal Research Services</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>5. DESCRIPTION OF WORK - ATTACHED</th>
<th>6. AMOUNT</th>
</tr>
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<tbody>
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<td>Unchanged from 03 - Attached</td>
<td>$79,290.00</td>
</tr>
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</table>

<table>
<thead>
<tr>
<th>7. NAME AND ADDRESS OF PARTICIPATING FEDERAL AGENCY</th>
</tr>
</thead>
<tbody>
<tr>
<td>OS/Office of the General Counsel</td>
</tr>
<tr>
<td>330 Independence Ave., Washington, D.C.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>7. LIAISON NAME:</th>
<th>7. PHONE NO.:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Donald E. Watts</td>
<td>(202) 690-7705</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>8. NAME AND ADDRESS OF PARTICIPATING FDA UNIT</th>
</tr>
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<tbody>
<tr>
<td>FDA/Office of Chief Counsel</td>
</tr>
<tr>
<td>5600 Fishers Lane</td>
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<tr>
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<tr>
<td>Annette Hatton</td>
<td>(301) 827-1156</td>
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<table>
<thead>
<tr>
<th>9. PERIOD OF AGREEMENT From: Through:</th>
</tr>
</thead>
<tbody>
<tr>
<td>10/01/03</td>
</tr>
<tr>
<td>09/30/04</td>
</tr>
</tbody>
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This agreement may be terminated by either party upon a thirty day advance written notice.

<table>
<thead>
<tr>
<th>10. AUTHORITY (FDA)</th>
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<tbody>
<tr>
<td>☑ Economy Act approved June 30, 1992, as amended by 31 U.S.C. 1585</td>
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<tr>
<td>☑ Section 301 of the Public Health Service Act (42 USC 241)</td>
</tr>
<tr>
<td>☐ Other (specify)</td>
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<td>APPLICATION (Other Agency)</td>
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<table>
<thead>
<tr>
<th>12. FDA FUNDING INFORMATION</th>
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<tr>
<td>☑ Increase from 0 by $79,290.00 to $79,290.00</td>
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<tr>
<td>7540600</td>
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<td>24200A/40</td>
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<td>4-6993830-9-41512</td>
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<td>FDA DUNS: 927645523</td>
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<tr>
<th>13. Administrative billing: requirements will comply with GAO Policy and Procedures, Title 7, Section 8.4</th>
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</table>

<table>
<thead>
<tr>
<th>14. PARTICIPATING AGENCY FUNDING INFORMATION (This block must be completed if funding is being provided to the FDA)</th>
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<tbody>
<tr>
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<tr>
<td>75-03-0030</td>
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<td>41992313</td>
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<tr>
<td>25.38</td>
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<tr>
<th>15. PARTICIPATING AGENCY IS</th>
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<tbody>
<tr>
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<tr>
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<tr>
<td></td>
<td>Director, Office of Legal Resources</td>
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| DATE: | |
|-------| |
INTERAGENCY AGREEMENT
BETWEEN THE
FOOD AND DRUG ADMINISTRATION (FDA)
AND THE
OFFICE OF THE GENERAL COUNSEL (OGC)
DEPARTMENT OF HEALTH AND HUMAN SERVICES

This agreement sets forth the terms under which the FDA is to reimburse OGC for WESTLAW and LEXIS usage. In addition, this authorizes the transfer of funds to the OGC when certain economies can be realized through joint purchases of publications and subscriptions.

I. Purpose

The OGC will fund and manage WESTLAW and LEXIS contracts in behalf of the Office of the General Counsel, Food and Drug Division (FDD). The FDA will transfer funds to cover FDD's portion of the charges for use of these online services. The charges will consist of two components: a proportion of OGCs fixed rate charges for FY 2004 for each service plus a reimbursement of any FDD usage not covered under the fixed rate agreements. Additional funds will fund FDD's use of the PACER system for tracking the status of court cases and to the FDD library. Finally, FDA will reimburse OGC for any expenditures made for the FDD in order to obtain savings through joint purchases of publications and subscriptions.

II. Period of Performance

This agreement covers the period October 1, 2003 to September 30, 2004.

III. Liaison Personnel

Annette Hatton
Management Advisor
FDA/OCC
Room 6A03, Parklawn Bldg.
(301) 827-1156

Donald Watts
Executive Officer
OGC
Room 700E, HHH BLDG
(202) 690-7705

IV. Authority

This agreement is authorized by 31 U.S.C. 1535 (the Economy Act). FDA: Section 301 of the PHS Act 42 USC 241

V. Financial Provisions

FDA will transfer $79,290 to the OGC as follows:

- $78,212.65 will cover the FDD share of the fixed rate contracts with WESTLAW and LEXIS for FY 2004.
- $1,076.95 for FDD portion of a bulk rate purchase of subscriptions to U.S. Law Week.

FDA agrees that the transfer of monies for online services and the library project will take place within thirty (30) days of the date of the last signature affixed hereto.

<table>
<thead>
<tr>
<th>FROM: FDA</th>
<th>TO: OGC</th>
</tr>
</thead>
<tbody>
<tr>
<td>Appropriation: 7540600</td>
<td>Appropriation: 7540120</td>
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<tr>
<td>CAN : 46993830</td>
<td>CAN : 41990580</td>
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<td>Object Class : 25.38</td>
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<tr>
<td>ALC : 75060099</td>
<td>ALC : 75-03-0030</td>
</tr>
<tr>
<td>DUNS : 927645523</td>
<td>DUNS : 112463521</td>
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</table>

VI. Approval and Acceptance

Approved and accepted for FDA

Approved and accepted for the Office of the General Counsel

BY: ____________________________
    Donald E. Watts
    Executive Officer

Date: __________________________

Date: __________________________
DEPARTMENT OF HEALTH AND HUMAN SERVICES  
Public Health Service  
Food and Drug Administration  

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10. AUTHORITY (FDA)  
☐ Economy Act approved June 30, 1932, as amended by 31 U.S.C. 1535  
☐ Section 301 of the Public Health Service Act (42 USC 241)  
☐ Other (specify)  

11. AUTHORITY (Other Agency)  

12. FDA FUNDING INFORMATION  
☐ Increase from ___ by ___ to ___  
☐ Decrease from ___ by ___ to ___  

Administrative billing requirements will comply with GAO Policy and Procedures, Title 7, Section 6.4  

Billing: OPAC system FDA ALC 75060099 Other Agency ALC  
☐ SF 1060 - FDA Accounting (HFA-120) 5600 Fishers Lane, Rockville, MD 20857  

FDA DUNS 927645523  

13. PARTICIPATING AGENCY FUNDING INFORMATION:  

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<th>Code</th>
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<td>3-1999580</td>
<td>75030030</td>
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a. Legal authority for the acquisition of supplies/services exists within your agency.  
b. This action does not conflict with any other agency's authority or responsibility.

14. PARTICIPATING AGENCY IS  
☐ Required to sign  
☐ Not required to sign  

5. FDA ACCEPTANCE  

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<thead>
<tr>
<th>NAME</th>
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<tbody>
<tr>
<td>Peggy L. Jones</td>
<td>Chief Grants Mgmt Officer</td>
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15. PARTICIPATING AGENCY ACCEPTANCE  

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<td>Donald E. Watts, Executive Officer</td>
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DATE: 06/28/2003  

DA 3443 (7/96)
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II. Period of Performance

This agreement is for an indefinite period, but parties to this agreement will make annual amendments to section V, Financial Provisions, for funds certification to cover the funding arrangements to cover the normal fiscal year of October 1 of one year to September 30 of the following year.

IV. Authority

This agreement is authorized by 31 U.S.C. 1535 (the Economy Act).

V. Financial Provisions

In FY 2003, FDA will transfer $82,429 to the OGC as follows:

$78,923 will cover the FDD share of the fixed rate contracts with WESTLAW and LEXIS.

$2,500 will be used to cover any non-fixed rate usage. The OGC may have to request additional funds for this type of use if it becomes substantial.
In addition, the FDD's portion of any subscription or publication joint purchases will charged back as accrued. It should not exceed $1006 for the year.

From: FDA

To: OGC

Approved and accepted for Office of the General Counsel

By: [Signature]
Date: [Signature]

By: [Signature]
Date: [Signature]

Peggy L. Jones
Chief Grants Mgmt Officer
Food and Drug Administration

[Signature]
Date: 8/30/03