



DEPARTMENT OF HEALTH & HUMAN SERVICES

Office of the General Counsel

Office of the Chief Counsel  
Food and Drug Administration  
5600 Fishers Lane, GCF-1  
Rockville, MD 20857

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:

Reproduction	Search	Review	Fiche	Other	Total
2.00	0	0	0	0	\$2.00

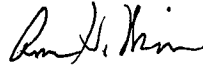
The above total may not reflect final charges for this request. Please do not send payment unless you receive an invoice.

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

Carl Malamud  
Page 2

Sincerely yours,

A handwritten signature in cursive script, appearing to read "Ann H. Wion".

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 <input type="checkbox"/> New <input checked="" type="checkbox"/> Mod <input type="checkbox"/> Administrative <input type="checkbox"/> No Cost Ext.		3. MODIFICATION NO. 17	
4. TITLE OF PROJECT Westlaw and LEXIS On-Line Legal Research Services				5. SECURITY CLAUSE APPLIES <input type="checkbox"/> Yes (See attached) <input type="checkbox"/> 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) 827-1167 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) <input checked="" type="checkbox"/> Economy Act approved June 30, 1932, as amended by 31 U.S.C. 1535 <input checked="" type="checkbox"/> Section 301 of the Public Health Service Act (42 USC 241) <input type="checkbox"/> Other (specify) _____					
14. AUTHORITY (Other Agency) _____					
15. FDA FUNDING INFORMATION <input checked="" type="checkbox"/> Increase from \$ _____ by \$ 74,096.00 to \$ 74,096.00 <input type="checkbox"/> Decrease from \$ _____ by \$ _____ to \$ _____					
16. Administrative billing requirements will comply with GAO Policy and Procedures, Title 7, Section 8.4 <input checked="" type="checkbox"/> Billing: X IPAC system FDA ALC 75060099 Other Agency ALC _____ <input type="checkbox"/> 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 <input checked="" type="checkbox"/> Required to sign <input type="checkbox"/> Not required to sign					
19. FDA ACCEPTANCE NAME: _____ TITLE: _____ DATE: _____			20. PARTICIPATING AGENCY ACCEPTANCE NAME: Susan M. Panasik TITLE: Legal Information Manager DATE: 10/29/00		

**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

Appropriation: 7590600  
CAN : 9-6993830  
Object Class : 25308  
Amount : \$74,096.00  
D&B Number : 927645523  
ALC : 75-06-0099

To: OGC

Appropriation: 7590120  
CAN : 9-1990598  
Object Class : 25308  
Amount : \$74,096.00  
D&B Number : 803192033  
ALC : 75030030

V. APPROVAL AND ACCEPTANCE

Approved and accepted for  
FDA

By:

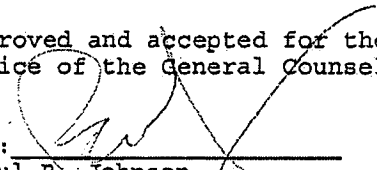
  
Joseph T. Smith  
Executive Officer

Date:

10/29/08

Approved and accepted for the  
Office of the General Counsel

By:

  
Paul R. Johnson  
Chief Operating Officer

Date:

11/2/08

Entered into IP 3/6/07  
TAG assigned = 94150067AP08000  
Reg # = 1040838

F408



DEPARTMENT OF HEALTH AND HUMAN SERVICES  
Food and Drug Administration



## INTERAGENCY AGREEMENT

1. IAG NO. (FDA) 224-95-8003		2. TYPE OF AGREEMENT <input type="checkbox"/> New <input checked="" type="checkbox"/> Mod <input type="checkbox"/> Administrative <input type="checkbox"/> No Cost Exl.		3. MODIFICATION NO. 16	
4. TITLE OF PROJECT Westlaw and LEXIS On-Line Legal Research Services				5. SECURITY CLAUSE APPLIES <input type="checkbox"/> Yes (See attached) <input type="checkbox"/> No	
DESCRIPTION OF WORK - ATTACHED 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. LIAISON TO PARTICIPATING FEDERAL AGENCY a. Name Susan M. Panasik c. E mail: b. Phone No. ( 202 ) 619 - 0190 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 Kelley Biser c. E mail: b. Phone No. ( 301 ) 827 - 1167 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) <input checked="" type="checkbox"/> Economy Act approved June 30, 1932, as amended by 31 U.S.C. 1535 <input checked="" type="checkbox"/> Section 301 of the Public Health Service Act (42 USC 241) <input type="checkbox"/> Other (specify) _____					
14. AUTHORITY (Other Agency) _____					
15. FDA FUNDING INFORMATION <input checked="" type="checkbox"/> Increase from \$ _____ by \$ 68,750.00 to \$ 68,750.00 <input type="checkbox"/> Decrease from \$ _____ by \$ _____ to \$ 0.00					
16. Administrative billing requirements will comply with GAO Policy and Procedures, Title 7, Section 8.4 <input checked="" type="checkbox"/> Billing: X IPAC system FDA ALC 75060099 Other Agency ALC _____ <input type="checkbox"/> 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 <input checked="" type="checkbox"/> Required to sign <input type="checkbox"/> 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		

**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.
- 1.) The sum of Fourteen Thousand Four Hundred Dollars (\$14,400.00) will cover the FDD share of the fixed rate contracts with LEXISNEXIS for FY 2008.
- 2.) 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.
- 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.
- 4) The sum of One Thousand Five Hundred Dollars (\$ 1,350.00) 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

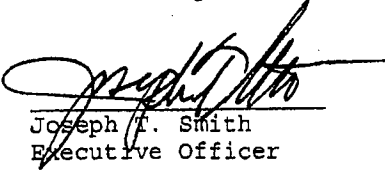
To: OGC

Appropriation: 7580120  
CAN : 8-1990598  
Object Class : 25308  
Amount : \$68,750  
D&B Number : ~~112463521~~ 803192033  
ALC : 75030030

V. APPROVAL AND ACCEPTANCE

Approved and accepted for  
FDA

By:

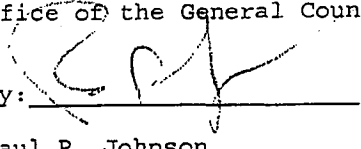
  
Joseph T. Smith  
Executive Officer

Date:

2/26/08

Approved and accepted for the  
Office of the General Counsel

By:

  
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 <input type="checkbox"/> New <input checked="" type="checkbox"/> Mod <input type="checkbox"/> Administrative <input type="checkbox"/> No Cost Ext.		3. MODIFICATION NO. 15	
4. TITLE OF PROJECT Westlaw and LEXIS On-Line Legal Research Services				5. SECURITY CLAUSE APPLIES <input checked="" type="checkbox"/> Yes (See attached) <input type="checkbox"/> No	
6. DESCRIPTION OF WORK - ATTACHED Unchanged from 04 - Attached				7. AMOUNT \$76,800.00	
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. Panasiak 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. LIAISON 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, 2006 THROUGH: September 30, 2007					
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) <input checked="" type="checkbox"/> Economy Act approved June 30, 1932, as amended by 31 U.S.C. 1535 <input checked="" type="checkbox"/> Section 301 of the Public Health Service Act (42 USC 241) <input type="checkbox"/> Other (specify) _____					
14. AUTHORITY (Other Agency) _____					
15. FDA FUNDING INFORMATION <input checked="" type="checkbox"/> Increase from \$ _____ by \$ 76,800.00 to \$ 76,800.00 <input type="checkbox"/> Decrease from \$ _____ by \$ _____ to \$ _____					
16. Administrative billing requirements will comply with GAO Policy and Procedures, Title 7, Section 8.4 <input checked="" type="checkbox"/> Billing: X IPAC system FDA ALC 75060099 Other Agency ALC _____ <input type="checkbox"/> 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 <input checked="" type="checkbox"/> Required to sign <input type="checkbox"/> Not required to sign					
19. FDA ACCEPTANCE NAME: _____ TITLE: _____ DATE: _____			20. PARTICIPATING AGENCY ACCEPTANCE NAME: Susan M. Panasiak <i>Susan M. Panasiak</i> TITLE: Legal Information Manager, Ofc. of Legal Reser DATE: 5/3/07		

FDA 3443 (1/02)

PSC Media Arts (301) 443-1090 EF

**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 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 LEXISNEXIS 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

Appropriation 7570120

CAN 7-6993830

CAN 7-1992313

Object Class 25309

Object Class 25.38

Amount \$76,800.00

Amount \$76,800.00

D&B Number 927645523

D&B Number 112463521

ALC 75-06-0099

ALC 75030030

V. APPROVAL AND ACCEPTANCE

Approved and accepted for FDA

Approved and accepted for OGC

By: 

By: 



DEPARTMENT OF HEALTH AND HUMAN SERVICES  
Food and Drug Administration



INTERAGENCY AGREEMENT

1. IAG NO. (FDA) 224-95-8003	2. TYPE OF AGREEMENT <input type="checkbox"/> New <input checked="" type="checkbox"/> Mod <input type="checkbox"/> Administrative <input type="checkbox"/> No Cost Ext.	3. MODIFICATION NO. 14
4. TITLE OF PROJECT Westlaw and LEXIS On-Line Legal Research Services		5. SECURITY CLAUSE APPLIES <input type="checkbox"/> Yes (See attached) <input type="checkbox"/> 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 <u>SUSAN M. PANASIK</u> b. Phone No. <u>202-619-0190</u> Donald E. Watts ( 202 ) 690 - 7705 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 <u>Annette Hatton</u> 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) <input checked="" type="checkbox"/> Economy Act approved June 30, 1932, as amended by 31 U.S.C. 1535 <input checked="" type="checkbox"/> Section 301 of the Public Health Service Act (42 USC 241) <input type="checkbox"/> Other (specify) _____
--

14. AUTHORITY (Other Agency) <u>7560120 6-1992313 25.38 75030030 (ALC) 112463521 (048#)</u>
--

15. FDA FUNDING INFORMATION <input checked="" type="checkbox"/> Increase from \$ <u>0.00</u> by \$ <u>60,020.00</u> to \$ <u>60,020.00</u> <input type="checkbox"/> Decrease from \$ _____ by \$ _____ to \$ <u>0.00</u>	DUNS: 927645523 EIN: 530196965 2006.6993830.253Q TAG: 9445036 TAP06000
--	---

16. Administrative billing requirements will comply with GAO Policy and Procedures, Title 7, Section 8.4 <input checked="" type="checkbox"/> Billing: <u>X</u> IPAC system FDA ALC 75060099 Other Agency ALC _____ <input type="checkbox"/> _____ 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 <input checked="" type="checkbox"/> Required to sign <input type="checkbox"/> Not required to sign
---

19. FDA ACCEPTANCE NAME: <u>Usha Ganti</u> TITLE: <u>Chief Grants Management Officer, FDA</u> DATE: <u>5/1/06</u>	20. PARTICIPATING AGENCY ACCEPTANCE NAME: <u>DONALD E. WATTS</u> TITLE: <u>Director, Office of Legal Resources</u> DATE: <u>04/21/2006</u>
--	---

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 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, 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 2530 ~~00~~ Q  
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:

*Debra Gault*

Date:

*5/1/06*

Approved and accepted for the  
Office of the General Counsel

By:

*W. E. Watts*

Donald E. Watts

Director of Legal Resources

Date:

*04/21/2006*



DEPARTMENT OF HEALTH AND HUMAN SERVICES  
Food and Drug Administration



# INTERAGENCY AGREEMENT

1. NO. (FDA) 224-95-8003		2. TYPE OF AGREEMENT <input type="checkbox"/> New <input checked="" type="checkbox"/> Mod <input type="checkbox"/> Administrative <input type="checkbox"/> No Cost Ext.		3. MODIFICATION NO. 13	
4. TITLE OF PROJECT Westlaw and LEXIS On-Line Legal Research Services				5. SECURITY CLAUSE APPLIES <input type="checkbox"/> Yes (See attached) <input type="checkbox"/> 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				9. LIAISON TO PARTICIPATING FEDERAL AGENCY a. Name Donald E. Watts b. Phone No. ( 202 ) 690 - 7705 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, 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) \_\_\_\_\_  
AUTHORITY (Other Agency) \_\_\_\_\_

15. FDA FUNDING INFORMATION  
☒ Increase  
from \$ 0.00 by \$ 80,189.00 to \$ 80,189.00  
☐ Decrease from \$ \_\_\_\_\_ by \$ \_\_\_\_\_ to \$ 0.00  
7550120 5-6993830  
25.3Q TAG:  
94151167AP05000  
DUNS:927645523  
ALC: 75060099  
EIN: 530296965

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 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: <u>Rosemary Springer</u> TITLE: <u>Chief Grants Management Officer, FDA</u> DATE: <u>8/2/05</u>		20. PARTICIPATING AGENCY ACCEPTANCE NAME: <u>W. E. Watts</u> TITLE: <u>DIRECTOR OF LEGAL RESOURCES</u> DATE: <u>7/25/05</u>	
---	--	--	--

DEPARTMENT OF  
HEALTH AND HUMAN SERVICES  
**PURCHASE/SERVICE/STOCK REQUISITION**

04

BPA and Call No. \_\_\_\_\_

REQUISITION NUMBER

A05203

OFFICE CODE/SYMBOL

GCF-1

**CONTRACTS**

REQUEST FOR

☐ PURCHASE

☒ SERVICE

☐ STOCK ISSUE

☐ RENTAL/LEASE

REQUESTING ORGANIZATION

FDA/OFFICE OF CHIEF COUNSEL

CUSTODIAL AREA

0345

DATE

07/01/04

OBJECT CLASS

25.3Q

FOR REFERENCE CALL

ANNETTE HATTON

EXTENSION

301-827-1156

APPROPRIATION

7540600 24200A/40

DELIVER TO

OFFICE OF CHIEF COUNSEL  
RM. 6A03, GCF-1, PKLN BLDG  
5600 FISHERS LANE  
ROCKVILLE, MD 20857

CAN

4-6993830-9-41512

DATE REQUIRED

//

ITEM NO.	DESCRIPTION (INCLUDE STOCK NUMBER, MODEL/PART NO., ETC.)	QUANTITY REQUIRED	UNIT OF ISSUE	COST	
				UNIT	TOTAL
	<p>REQUEST FOR CONTINUATION OF REIMBURSEABLE INTERAGENCY AGREEMENT — ATTACHED</p> <p>FDA#: 224-95-8003</p> <p>TITLE: WESTLAW AND LEXIS On-Line Legal Research Services</p> <p>O.C. 25.3Q</p> <p>PERIOD OF AGREEMENT: 10/01/03 THRU 9/30/04</p> <p>APPROVED: <i>Jessica Raulbach</i> 7/13/04 for DIRECTOR, OFM</p>				\$79,290.00

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

FUNDS AVAILABLE (Signature/Title)

*Annette Hatton*  
MANAGEMENT ADVISOR

DATE

07/01/04

TOTAL

\$79,290.00

REQUESTED BY (Signature/Title)

*Annette Hatton*  
MANAGEMENT ADVISOR

DATE

07/01/04

RECEIVING OFFICIAL - I certify that the quantities indicated in the "Quantity Required" column above have been received in total or as annotated.

RECOMMEND APPROVAL (Signature/Title)\*

DATE

//

RECEIVING OFFICIAL (Signature/Title)

DATE

//

APPROVED BY (Signature/Title)

*[Signature]*  
E. FIVE OFFICER

DATE

07/01/04

ORDER NO. (PO, DO, FEDSTRIP, ETC.)

ORDER DATE

//

PROG. MANAGEMENT OFFICER (Signature)\*

DATE

//

VOUCHER NO.

VOUCHER DATE

//





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



## INTERAGENCY AGREEMENT

1. IAG NO. (FDA) 224-95-8003		2. TYPE OF AGREEMENT <input type="checkbox"/> New <input checked="" type="checkbox"/> Mod <input type="checkbox"/> Administrative <input type="checkbox"/> No Cost Ext.		3. MODIFICATION NO. 12	
4. TITLE OF PROJECT WESTLAW and LEXIS On-Line Legal Research Services					
5. DESCRIPTION OF WORK - ATTACHED Unchanged from 03 - Attached			6. AMOUNT \$79,290.00		
7. NAME AND ADDRESS OF PARTICIPATING FEDERAL AGENCY OS/Office of the General Counsel 330 Independence Ave., Washington, D.C.			LIAISON NAME: Donald E. Watts		PHONE NO. (202) 690-7705
8. NAME AND ADDRESS OF PARTICIPATING FDA UNIT FDA/Office of Chief Counsel 5600 Fishers Lane Rockville, MD 20857			LIAISON NAME: Annette Hatton		PHONE NO. (301) 827-1156
9. PERIOD OF AGREEMENT FROM: 10/01/03 THROUGH: 09/30/04					
This agreement may be terminated by either party upon a thirty day advance written notice.					
10. AUTHORITY (FDA) <input type="checkbox"/> Economy Act approved June 30, 1932, as amended by 31 U.S.C. 1535 <input checked="" type="checkbox"/> Section 301 of the Public Health Service Act (42 USC 241) <input type="checkbox"/> Other (specify) _____ AUTHORITY (Other Agency)					
12. FDA FUNDING INFORMATION <input checked="" type="checkbox"/> Increase from 0 by 79,290.00 to \$79,290.00 <input type="checkbox"/> Decrease from _____ by _____ to _____ 7540600 24200A/40 4-6993830-9-41512 25.3Q FDA DUNS: 927645523					
13. Administrative billing requirements will comply with GAO Policy and Procedures, Title 7, Section 8.4 <input checked="" type="checkbox"/> Billing: _____ OPAC system FDA ALC 75060099 Other Agency ALC _____ <input type="checkbox"/> _____ SF 1080 - FDA Accounting (HFA-120) 5600 Fishers Lane, Rockville, MD 20857					
14. PARTICIPATING AGENCY FUNDING INFORMATION (This block must be completed if funding is being provided to the FDA) 7540120 75-03-0030 41992313 25.38 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.					
15. PARTICIPATING AGENCY IS <input checked="" type="checkbox"/> Required to sign <input type="checkbox"/> Not required to sign					
16. FDA ACCEPTANCE NAME: _____ TITLE: Chief, Grants Mgmt. Officer DATE: _____			17. PARTICIPATING AGENCY ACCEPTANCE NAME: _____ TITLE: Director, Office of Legal Resources 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.

FROM: FDA

TO: OGC

Appropriation: 7540600  
CAN : 46993830  
Object Class : 25.3Q  
Amount : \$79,290  
ALC : 75060099  
DUNS : 927645523

Appropriation: 7540120  
CAN : 41990580  
Object Class : 25.38  
Amount : \$79,290  
ALC : 75-03-0030  
DUNS : 112463521

VI. Approval and Acceptance

Approved and accepted for  
FDA

Approved and accepted for the  
Office of the General Counsel

BY: \_\_\_\_\_

BY: \_\_\_\_\_  
Donald E. Watts  
Executive Officer

Date: \_\_\_\_\_

Date: \_\_\_\_\_



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



# INTERAGENCY AGREEMENT

1. IAG NO. (FDA) 224-95-8003		2. TYPE OF AGREEMENT <input type="checkbox"/> New <input checked="" type="checkbox"/> Modified <input type="checkbox"/> Administrative		3. MODIFICATION NO. 11	
4. TITLE OF PROJECT WESTLAW and LEXIS On-Line Legal Research Services					
5. DESCRIPTION OF WORK - ATTACHED Unchanged from 02 - Attached			6. AMOUNT \$82,429.00		
7. NAME AND ADDRESS OF PARTICIPATING FEDERAL AGENCY OS/Office of General Counsel 330 Independence Avenue, Washington, D.C.			LIAISON NAME: Donald E. Watts		PHONE NO. (202) 690-7705
7. NAME AND ADDRESS OF PARTICIPATING FDA UNIT FDA/Office of Chief Counsel 5600 Fishers Lane Rockville, MD 20857			LIAISON NAME: Annette Hatton		PHONE NO. (301) 827-1156
9. PERIOD OF AGREEMENT FROM: 10/01/02 THROUGH: 9/30/03					
This agreement may be terminated by either party upon a thirty day advance written notice.					
10. AUTHORITY (FDA) <input type="checkbox"/> Economy Act approved June 30, 1932, as amended by 31 U.S.C. 1535 <input checked="" type="checkbox"/> Section 301 of the Public Health Service Act (42 USC 241) <input type="checkbox"/> Other (specify) _____					
11. AUTHORITY (Other Agency)					
12. FDA FUNDING INFORMATION <input type="checkbox"/> Increase from 0 by 82,429 to \$82,429.00 7530600 3-6993830 <input type="checkbox"/> Decrease from _____ by _____ to _____ 25.38 9-41576 Administrative billing requirements will comply with GAO Policy and Procedures, Title 7, Section 8.4 XXXXX Billing: _____ OPAC system FDA ALC 75060099 Other Agency ALC _____ <input type="checkbox"/> SF 1080 - FDA Accounting (HFA-120) 5600 Fishers Lane, Rockville, MD 20857 FDA DUNS 927645523					
13. PARTICIPATING AGENCY FUNDING INFORMATION 7530120 3-1990580 25.38 75030030 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 <input checked="" type="checkbox"/> Required to sign <input type="checkbox"/> Not required to sign					
5. FDA ACCEPTANCE NAME: <u>Peggy L. Jones</u> Peggy L. Jones Chief Grants Mgmt Officer TITLE: _____ A1: <u>8/20/03</u>			15. PARTICIPATING AGENCY ACCEPTANCE NAME: <u>W. Watts</u> TITLE: <u>Donald E. Watts, Executive Officer</u> DATE: <u>08/28/2003</u>		

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 OGC's fixed rate charges 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 a FDD library improvement project. 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 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).  
PHS #C1 42 use 241

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 be charged back as accrued. It should not exceed \$1006 for the year.

From: FDA

To: OGC

Appropriation: 7530600

CAN: 36993830

Object Class: 25.3Q

Amount: \$82,429

ALC: 750 60099

DUNS: 927645523

VI. Approval and Acceptance

Appropriation: 7530120

CAN: 3-1992313

Object Class: 25.39

Amount: \$82,429

ALC: 75-03-0030

DUNS: 112463521

Approved and accepted for  
the FDA

Approved and accepted for  
Office of the General

By: 

Counsel

By:   
Director, Office of Legal  
Resources

Date: \_\_\_\_\_

Date: 08/28/2003

BY: 

Peggy L. Jones

Chief Grants Mgmt Officer

Food and Drug Administration

Date: 8/30/03