

U.S. Department of Labor

Employment Standards Administration
Office of Workers' Compensation Programs
Washington, D.C. 20210



NOV - 4 2002

File Number:

20020514DOL001

William Ferroggiaro
Director, Freedom of Information Project
The National Security Archive
George Washington University
Gelman Library, Suite 701
2130 H Street, NW
Washington, D.C. 20037

RECEIVED NOV 07 2002

Dear Mr. Ferroggiaro:

I am writing in regard to your letter dated September 4, 2002 received September 30, 2002 requesting information under the Freedom of Information Act (FOIA) (5 U.S.C. 552) and the Privacy Act.

Your inquiry specifically requested "disclosure of the following documents for inspection and possible copying:

All records, including but not limited to guidance or directives, memoranda, training materials, or legal analyses, concerning the US Department of Labor's implementation of US Attorney General John Ashcroft's October 12, 2001 memorandum on the US Freedom of Information Act."

You requested, in the event that any existing documents were determined to be exempt from disclosure, that we exercise our discretion to disclose them. Furthermore, you indicated that the National Security Archives qualifies for waiver of search and review fees based on its being a representative of the news media.

In response to your FOIA request, please note that this program, Federal Employees' Compensation (FEC), has not originated, developed or generated any training materials or legal analyses related to the Department of Labor's implementation of US Attorney General Ashcroft's October 12, 2001 memorandum on the Freedom of Information Act. Any such guidance, directives or training of personnel within FEC would have been developed and conducted by the Office of the Solicitor of Labor. Under the FOIA, an individual or other entity is required to provide copies of records that it has in its possession or control to

the requestor. Moreover, we have no records or documents that respond to your FOIA request.

I believe that FEC has been responsive to your request. Should you disagree, you may file an appeal to the Solicitor of Labor within 90 days from the date you receive this letter. The appeal must state, in writing, the grounds for the appeal, including any supporting statement or arguments. To facilitate processing, you may wish to telefax your appeal to: 202-693-5539. The appeal should include a copy of your initial request and a copy of this letter. The appeal must be addressed to: Solicitor of Labor U.S. Department of Labor 200 Constitution Avenue, NW, Washington, D.C. 20210. Both the envelope, should one be used, and the letter of appeal itself must be clearly marked: "Freedom of Information Act Appeal."

Sincerely,

Shirley Bridge for

DEBORAH B. SANFORD

Director for

Federal Employees' Compensation