



National Institutes of Health
Freedom of Information Office
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December 20, 2006

Mr. Mike Frandsen
4977 Battery Lane, #511
Bethesda, Maryland 20814

Re: FOIA Case No. 33025

Dear Mr. Frandsen:

This is a final response to your August 24, 2006, Freedom of Information Act (FOIA) request addressed to the National Institutes of Health (NIH). You requested the following information:

1. In FY05 and FY06, how many times did NIH use the Schedule A, 5 CFR 213.3102 hiring authority that certifies that a job applicant has a psychiatric disability, in the hiring process?
2. Which ICs used this authority?

We asked the NIH Office of Human Resources to search its files for records responsive to your request. That search produced no records responsive to your request. While we believe that an adequate search of appropriate files was conducted for the records you requested, you have the right to appeal this determination that no records exist which would be responsive to your request. Should you wish to do so, you must send your appeal within thirty (30) days of receipt of this letter to the Assistant Secretary for Public Affairs (Media), United States Department of Health and Human Services (DHHS), Room 17A-46, Parklawn Building, 5600 Fishers Lane, Rockville, Maryland 20857, following the procedures outlined in Subpart C of the enclosed DHHS FOIA Regulations, 45 C.F.R. Part 5. Please mark both the envelope and the appeal letter "FOIA Appeal."

Provisions of the FOIA and the DHHS FOIA Regulations allow us to recover part of the cost of complying with your request. Because the cost fell within the allowances for individual requesters, there is no charge.

Sincerely,

Brenda J. Butler

Freedom of Information Specialist, NIH

Enclosure: FOIA Regulations