

## § 1401.6

## 21 CFR Ch. III (4–1–25 Edition)

the request to the agency that classified the underlying information.

(d) *Timing of responses to consultations and referrals.* All consultations and referrals received by ONDCP will be handled according to the date that the first agency received the perfected FOIA request.

(e) *Agreements regarding consultations and referrals.* ONDCP may establish agreements with other agencies to eliminate the need for consultations or referrals with respect to particular types of records.

### § 1401.6 How to request records—form and content.

(a) You must describe the records you seek in sufficient detail and in writing to enable ONDCP personnel to locate them with a reasonable amount of effort. To satisfy this requirement, you should be as detailed as possible when describing the records you seek. To the extent possible, each request must reasonably describe the record(s) sought including the type of document, specific event or action, title or name, author, recipient, subject matter of the record, date or time period, location, and all other pertinent data. Before or after submitting their requests, requesters may contact ONDCP's FOIA Public Liaison to discuss the records they seek and for assistance in describing the records. A list of Agency FOIA Public Liaisons is available at <https://www.foia.gov/#agency-search>.

(b)(1) If you are making a request for records about yourself, you must comply with the verification of identity provision set forth in § 1401.21(f) of this part.

(2) If a request for records pertains to a third party, you may receive greater access by submitting either a notarized authorization signed by that individual or an unsworn declaration under 26 U.S.C. 1746 by that individual authorizing disclosure of the records to you. If the other individual is deceased, you should submit proof of death such as a copy of the death certificate or an obituary. As an exercise of administrative discretion, ONDCP may require you to provide additional information if necessary in order to verify that a particular individual has consented to disclosure.

(c) Requesters may specify the preferred form or format (including electronic formats) for the records they seek. ONDCP will try to accommodate formatting requests if the record is readily reproducible in that form or format.

(d) Whenever it is appropriate to do so, ONDCP automatically processes a Privacy Act request for access to records under both the Privacy Act and the FOIA, following the rules contained in this part. ONDCP processes a request under both the FOIA and Privacy Act so you will receive the maximum amount of information available to you by law.

(e) Requests must be received by ONDCP through methods specified on the FOIA page of ONDCP's website: <https://www.whitehouse.gov/ondcp/about/foia-and-legal/>. Requests may be emailed at any time to [FOIA@ondcp.eop.gov](mailto:FOIA@ondcp.eop.gov) or mailed to SSDMD/RDS; ONDCP Office of General Counsel; Joint Base Anacostia-Bolling (JBAB) Bldg. 410/Door 123; 250 Murray Lane SW, Washington, DC 20509. Email requests are strongly preferred.

(f) The words "FOIA REQUEST" or "REQUEST FOR RECORDS" should be clearly marked on all FOIA request communications. The time limitations imposed by § 1401.7(a) will not begin until ONDCP identifies a communication as a FOIA request.

(g) You must provide contact information, such as your phone number, email address and mailing address, so we will be able to communicate with you about your request and provide released records. If we cannot contact you, or you do not respond within 20 calendar days to our request for clarification, we will close your request.

(h) To protect our computer systems, ONDCP reserves the right to not open attachments to emailed request. Please include your request within the body of your email.

### § 1401.7 Responses—form and content.

(a) *Determinations.* The General Counsel, or designee, will determine within 20 days (excepting Saturdays, Sundays, and legal public holidays) after the receipt of a FOIA request whether it is appropriate to grant the request and will provide written notification to the