INSTITUTE OF MUSEUM AND LIBRARY SERVICES
FREEDOM OF INFORMATION ACT (FOIA)
ANNUAL REPORT FOR FISCAL YEAR 2002

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I. Basic Information Regarding Report

A. Name, title, address, and telephone number of person(s) to be contacted with questions about the report

Mamie Bittner
Director of Public and Legislative Affairs
Institute of Museum and Library Services
1100 Pennsylvania Avenue, NW
Room 510
Washington, DC 20506
(202) 606-4648

Nancy E. Weiss
Office of the General Counsel
Institute of Museum and Library Services
1100 Pennsylvania Avenue, NW
Room 802
Washington, DC 20506
(202) 606-5414

B. Electronic address for this report on the World Wide Web.

http://www.imls.gov/about/abt_foia.htm

C. How to obtain a copy of this report in paper form.

Nancy E. Weiss
Office of the General Counsel
Institute of Museum and Library Services
1100 Pennsylvania Avenue, NW, Room 802
Washington, DC 20506
(202) 606-5414

II. How to make a FOIA Request.

For basic information on how to make a FOIA request, visit our Website at:

http://www.imls.gov/about/abt_foia.htm

A. Name, title, address, and telephone numbers of all individual agency components and offices that receive FOIA requests.

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B. Brief description of the agency's response-time ranges.

The agency responded to simple requests in approximately nine (9) working days.

C. Brief description of why some requests are not granted.

The primary reason for not fully granting requests for which records are located is that disclosure would result in unwarranted invasions of personal privacy. Generally, small, segregable portions of the records are withheld in those instances. In some cases, records do not exist that respond to the request.

III. Definitions of Terms and Acronyms Used in the Report.

A. Agency-specific acronyms or other terms.

IMLS - Institute of Museum and Library Services

B. Basic terms expressed in common terminology.

1. FOIA/PA Request - Freedom of Information Act (FOIA)/Privacy Act (PA) request. A FOIA request is generally a request for access to records concerning a third party, an organization, or a particular topic of interest. A PA request is a request for records concerning oneself of first party (next of kin interests). PA requests are also treated as FOIA requests.

2. Initial Request - A request to a federal agency for access to records under the FOIA.

3. Appeal - A request to a federal agency asking that it review at a higher administrative level a full or partial denial of access to records under the FOIA, or any other FOIA determination such as a matter pertaining to fees.

4. Processed Request or Appeal - A request or appeal for which an agency has taken a final action on the request or the appeal in all

5. Multi-Track Processing - A system in which simple request requiring relatively minimal review are placed in one processing track and more voluminous and complex requests are placed in one or more other tracks. Requests in each track are processed on a first-in/first-out basis. A requestor who has an urgent need for records may request expedited processing.

6. Expedited Processing - An agency will process a FOIA request on an expedited basis when a requester has shown an exceptional need or urgency for the records which warrants prioritization of his or her request over other requests that were made earlier.

7. Simple Request - A FOIA request than an agency using multi-track processing places in its fastest (non-expedited) track based on the volume and/or simplicity or records requested.

8. Complex Request - A FOIA request that an agency using multi-track processing places in a slower track based on the volume and/or complexity or records requested.

9. Grant - An agency decision to disclose all records in full in response to a FOIA request.

10. Partial Grant - An agency decision to disclose a record In part in response

to a FOIA request, deleting information determined to be exempted under on or more of the FOIA'S exemptions; or a decision to disclose some records in their entireties, but to withhold other records in part.

11. Denial - An agency decision not to release any part of a record or records in response to a FOIA request because all the information in the requested records is determined by the agency to be exempt under one or more of the FOIA's exemptions, or for some procedural reason (such as no record is located that is responsive to the FOIA request).

12. Time Limits -The time period in the FOIA for an agency to respond to a FOIA request (ordinarily 20 working days from proper receipt of a "perfected" FOIA request).

13. "Perfected Request" - A FOIA request for records which adequately describes the records sought, which has been received by the FOIA office of the agency component in possession of the records, and for which there is no remaining question about the payment of applicable fees.

14. Exemption 3 Statute - A separate federal statute prohibiting the disclosure of a certain type of information and authorizing its withholding under FOIA subsection (b)(3).

15. Median Number - The middle, not average number. For example 3, 7, and 14, the median number is 7.

16. Average Number - The number obtained by dividing the sum of a group of numbers by the quantity of the numbers in the group. For example, of 3, 7, and 14, the average number is 8.

IV. Exemption 3 Statutes

No exemption 3 statutes were used by the agency during fiscal year 2002.

V. Initial FOIA/PA Access Request

A. Numbers of Initial Requests.

1. Number of requests pending as of end of proceeding fiscal year   0
2. Number of requests received in current fiscal year   8
3. Number of requests processed during current fiscal year   5
4. Number of requests pending as of end of current fiscal year   3

B. Disposition of initial requests.

1. Number of total grants   4
2. Number of partial grants   0
3. Number of denials   0
    a. Number of times each FOIA exemption used
        (1) Exemption 1   0
        (2) Exemption 2   0
        (3) Exemption 3   0
        (4) Exemption 4   0
        (5) Exemption 5   0
        (6) Exemption 6   0
        (7) Exemption 7(A)   0
        (8) Exemption 7(B)   0
        (9) Exemption 7(C)   0
        (10) Exemption 7(D)   0
        (11) Exemption 7(E)   0
        (12) Exemption 7(F)   0
        (13) Exemption 8   0
        (14) Exemption 9   0
4. Other reasons for nondisclosure (total)   0
    a. No records   1
    b. Referrals   0
    c. Request withdrawn   0
    d. Fee-related   0
    e. Records not reasonably described   0
    f. Not a "perfected request" for other reasons   0
    g. Not an agency record   0
    h. Duplicated request   0
    i. Other (specify)   0

VI. Appeals of Initial Denials of FOIA/PA Requests

A. Number of Appeals.

1. Number of appeals received during fiscal year   ___0___
2. Number of appeals processed during fiscal year   ___0___

B. Disposition of appeals.

1. Number completely upheld   ___0___
2. Number partially reversed   ___0___
3. Number completely reversed   ___0___
    a. Number of times each FOIA exemption used
        (1) Exemption 1   ___0___
        (2) Exemption 2   ___0___
        (3) Exemption 3   ___0___
        (4) Exemption 4   ___0___
        (5) Exemption 5   ___0___
        (6) Exemption 6   ___0___
        (7) Exemption 7(A)   ___0___
        (8) Exemption 7(B)   ___0___
        (9) Exemption 7(C)   ___0___
        (10) Exemption 7(D)   ___0___
        (11) Exemption 7(E)   ___0___
        (12) Exemption 7(F)   ___0___
        (13) Exemption 8   ___0___
        (14) Exemption 9   ___0___
4. Other reasons for nondisclosure (total)   ___0___
    a. No records   ___0___
    b. Referrals   ___0___
    c. Request withdrawn   ___0___
    d. Fee-related   ___0___
    e. Records not reasonably described   ___0___
    f. Not a "perfected request" for other reasons   ___0___
    g. Not an agency record   ___0___
    h. Duplicated request   ___0___
    i. Other (Improperly cited regulation)   ___0___

VII. Compliance with Time Limits/Status of Pending Requests

A. Average processing time for requests processed during the year.

1. Simple requests
    a. Number of requests processed   ___5___
    b. Average number of days to process   ___9___

2. Complex requests
   a. Number of request processed   0
   b. Average number of days to process   0

3. Request accorded expedited processing
   a. Number of requests processed   0
   b. Median number of days to process   0

B. Status of pending requests.

1. Number of requests pending as of end of current fiscal year   3
2. Median number of days that such requests were pending
   as of that date   13

VIII. Comparison with Previous Year(s) (Optional)

1. Number of requests for expedited processing received   0
2. Number of requests for expedited processing granted   0

In September 2002, IMLS hired an individual to respond to, among other things, the agency's FOIA requests. Since this individual was hired, there has been a significant decrease in the amount of time needed by the agency to respond to its FOIA requestors.

IX. Costs/FOIA Staffing

  A. Staffing levels

    1. Number of full-time FOIA personnel   0
    2. Number of personnel with part-time or occasional
       FOIA duties (in total work-years)   .15
    3. Total number of personnel (in work-years)   .15

  B. Total costs (including staff and all resources)

    1. FOIA processing (including appeals)   0
    2. Litigation-related activities (estimated)   0
    3. Total costs   0

  C. Statement of additional resources needed for FOIA compliance (optional)

    N/A

X. Fees

    A. Total amount of fees collected by agency for processing requests   0

    B. Percentage of total costs   0

XI. FOIA Regulations (Including Fee Schedule)

http://www.imls.gov/about/abt_foia.htm