

**NATIONAL SCIENCE FOUNDATION
FREEDOM OF INFORMATION ACT REPORT
FOR OCTOBER 1, 1998 THROUGH SEPTEMBER 30, 1999**

I. BASIC INFORMATION:

A. Point of Contact:

Leslie Crawford, NSF FOIA Officer
Rm 1265
4201 Wilson Blvd
Arlington, VA 22230
(703) 306-1060

B. Electronic Address for report: The FY1999 FOIA Report for the National Science Foundation will be available as one of the choices under the *References* section of the FOIA/Privacy entry on the Foundation's home page, at <www.nsf.gov/home/pubinfo/foia.htm>.

C. Paper Copies of report: Paper copies can be requested from the person/address listed above.

II. HOW TO MAKE A FOIA REQUEST:

NSF policy is to make the fullest possible disclosure of information and records to any requester, without unnecessary expenses or delay. NSF's "Public Information Handbook" is available electronically as one of the choices under the *References* section of the FOIA/Privacy entry on the Foundation's home page, at <www.nsf.gov/home/pubinfo/foia.htm>.

There are four basic agency requirements for making a FOIA request:

- (1) request must be in writing (mailed correspondence, fax, or email) and include the requester's mailing address;
- (2) the envelope and letter content must identify the request as a FOIA request;
- (3) the request must provide enough detail to allow identification of the requested records; and
- (4) the request must include agreement to pay fees chargeable under NSF's fee schedule.

A. Agency Components:

Requests for records of the agency should be sent to the NSF FOIA Officer, Rm 1265, 4201 Wilson Blvd, Arlington, VA 22230. Phone: 703-306-1060, Fax: 703-306-0149. Email: foia@nsf.gov

Requests for documents maintained by the Office of the Inspector General should be addressed directly to the OIG, FOIA, Rm 1135, 4201 Wilson Blvd, Arlington, VA 22230. Phone: 703-306-2001. Email: oig@nsf.gov

B. NSF response-time ranges:

The agency generally manages to respond to FOIA requests within three to four weeks for records that can be found at the agency (allowing for time to contact submitters of potentially proprietary information). Response times over 20 working days are generally the result of difficulty in contacting the submitter for clearance, need to track and retrieve documents from off-site storage at the Federal Records Center, voluminous number of potentially responsive records, or need to consult among agency components.

C. Why some requests are not granted:

Requests for records may not be granted if the documents have been transferred to the ownership of the National Archives and Records Administration; if the requested records contain predecisional information that if released would cause harm to NSF decision-making processes; or for portions of records that contain personal and/or proprietary information; for records containing information compiled for law enforcement purposes; or if the requester asked for information specifically prohibited from disclosure by other statutes.

III. DEFINITIONS OF TERMS AND ACRONYMS USED IN THE REPORT:

A. Agency-specific terms and acronyms:

There are no agency-specific terms or acronyms used in this report.

B. Basic terms:

The basic terms used in this report are the same in meaning as explained in Department of Justice guidance.

IV. EXEMPTION 3 STATUTES:

A. Exemption 3 statutes relied on by NSF during current fiscal year:

During Fiscal Year 1998 NSF used Exemption b(3) once to withhold contractor proposal information not set forth or incorporated by reference into the final contract, in accordance with the changes made to 41 U.S.C. 253b, section 303B, by the National Defense Authorization Act of 1997 (Public Law 104-201).

V. INITIAL FOIA/PA ACCESS REQUESTS:

A. Numbers of initial requests:

1. Number of requests pending as of end of preceding fiscal year: 14
2. Number of requests received during current fiscal year: 158

- 3. Number of requests processed during current fiscal year: 169
- 4. Number of requests pending as of end of current fiscal year: 3

B. Disposition of initial requests:

- 1. Number of total grants (records released in full): 46
- 2. Number of partial grants (records released in part): 76
- 3. Number of denials (total withholding of records): 4
 - a. Number of times each FOIA exemption was used:
 - Exemption 2 1
 - Exemption 3 1
 - Exemption 4 10
 - Exemption 5 18
 - Exemption 6 69
 - Exemption 7(A) 2
 - Exemption 7(C) 15
 - Exemption 7(D) 1
 - Exemption 7(E) 1
- 4. Other reasons for nondisclosure (total): 40
 - a. No records 25
 - b. Referrals 4
 - c. Request withdrawn 6
 - d. Fee-related reason 2
 - e. Records not reasonably described 2
 - f. Duplicate request 1

VI. APPEALS OF INITIAL DENIALS OF FOIA/PA REQUESTS

A. Numbers of appeals

- 1. Number of appeals received during fiscal year 4
- 2. Number of appeals processed during fiscal year 4

B. Disposition of appeals

- 1. Number completely upheld 1
- 2. Number partially reversed 2
- 3. Number completely reversed 0
 - a. Number of times each FOIA exemption used:
 - Exemption 5 1
 - Exemption 7e 1
- 4. Other reasons for nondisclosure (total): 2
 - No records 1
 - Appeal withdrawn 1

VII. COMPLIANCE WITH TIME LIMITS/STATUS OF PENDING REQUESTS

A. Median processing time for requests processed during the year:

NOTE: NSF uses a single first-in, first-out method of processing requests. The agency received no requests for expedited access during fiscal year 1998.

- 1. Number of requests processed 169
- 2. Median number of days to process 12

B. Status of pending requests:

- 1. Number of requests pending as of end of current fiscal year (see V.A.4) 3
- 2. Median number of days that such requests were pending as of that date 3

VIII. COSTS/FOIA STAFFING

A. Staffing levels:

- 1. Number of full-time FOIA personnel - None
- 2. Number of personnel with part-time or occasional FOIA duties - approx 40
- 3. Total number of personnel (in work years) = 1.8

B. Total costs (including staff and all resources)

- 1. FOIA processing (including appeals) \$ 139,465.00
- 2. Litigation-related activities (estimated) No litigation in FY99
- 3. Total costs \$ 139,465.00

X. FEES

A. Total amount of fees collected by agency for processing requests \$ 6,461.55

B. Percentage of total costs 4.6%

XI. FOIA REGULATIONS (INCLUDING FEE SCHEDULE)

NSF FOIA regulations are published at 45 C.F.R. 612, available electronically at <<http://www.access.gpo.gov/nara/cfr/cfr-table-search.html>>.