

**The National Aeronautics and Space Administration
Fiscal Year 2000
Annual Freedom of Information Act (FOIA) Report**

I. Basic Information

- A. Name, Title, Address and telephone number of person(s) to contact with questions about the report.

Stephen L. McConnell
Freedom of Information Act Officer
NASA
Washington, DC 20546-0001
(202) 358-068

- B. Electronic address for report on the World Wide Web:
<http://www.hq.nasa.gov/office/pao/FOIA>
C. How to obtain a copy of the report in paper form.

Written request can be submitted by mail to:

National Aeronautics and space Administration
Freedom of Information Act Office
Mail Code PS
Washington, DC 20546-0001
OR
FAX: (202) 358-4338
E-mail request to: foia@hq.nasa.gov

II. How to Make a FOIA Request

- A. Names, addresses, and telephone numbers of all individual Agency components and offices that receive FOIA requests

NASA Headquarters
Attn: FOIA Office, Code PS
Washington DC 20546-0001
(202) 358-0205

Office of Inspector General
NASA Headquarters
Attn: FOIA Office, Code W
Washington DC 20546-0001
(202) 358-2575

Ames Research Center
Attn: FOIA Office, Mail Stop 204-2
Moffett Field CA 94035
(650) 604-4190

Dryden Flight Research Center
Attn: FOIA Office
P. O. Box 273
Mail Stop 4839
Edwards CA 93523
(805) 258-2662

Goddard Space Flight Center
Attn: FOIA Office
Mail Code 213.1
Greenbelt MD 20771
(301) 358-0730

Johnson Space Center
Mail Code AP2
Houston TX 77058
(281) 483-8612

Kennedy Space Center
Mail Code AB-F1
Kennedy Space Center FL 32899
(321) 867-9280

Langley Research Center
Attn: FOIA Office
Mail Stop 154
Hampton VA 23681
(757) 864-2497

Glenn Research Center
Attn: FOIA Office
Mail Code 0610
21000 Brookpark Road
Cleveland OH 44135
(216) 433-2755

Marshall Space Flight Center
Attn: FOIA Office
Mail Code CO50
Marshall Space Flight Center AL 35812
(256) 544-1837

Stennis Space Center
Attn: FOIA Office
Mail Code CA00 Building 1100
Stennis Space Center MS 39529-6000
(228) 688-2164

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

FOIA requests are routinely responded to in the allotted 20 working days. Those requests requiring more time depend on the amount of information requested, legal issues involved and the availability of records requested (i.e., requests for records maintained at more than one Center and Office of Inspector General records that are maintained at various locations and requiring extensive review due to the investigative nature of the records). To accommodate the Electronic FOIA (E-FOIA) requirements, many of the documents requested by multiple requesters, OIG audit reports and other public documents are now being added to our E-FOIA Reading Rooms located on the Internet.

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

Some requests are not granted based upon the exemptions allowed under the FOIA; information does not exist; request is withdrawn; it is referred to another agency or it is not an agency record.

III. Definitions of Terms and Acronyms Used in the Report

A. Agency-specific acronyms or other terms:

NASA - National Aeronautics and Space Administration.
HQ - Headquarters.
ARC - Ames Research Center.
DFRC - Dryden Flight Research Center.
GSFC - Goddard Space Flight Center.
JSC - Lyndon B. Johnson Space Center.
KSC - John F. Kennedy Space Center.
LaRC - Langley Research Center.
GRC - Glenn Research Center.
MSFC - George C. Marshall Space Flight Center.
SSC - John C. Stennis Space Center.
OIG - Office of Inspector General
E-FOIA - Electronic Freedom of Information Act

B. Basic terms, expressed in common terminology:

1. FOIA/PA request -- Freedom of Information Act/Privacy Act 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 Privacy Act request is a request for records concerning oneself. Such requests are also treated as FOIA requests.

2. Initial Request -- a request to a federal agency for access to records under the Freedom of Information Act.
3. Appeal -- a request to a federal agency asking that it review at a higher administrative level a full denial or partial denial of access to records under the Freedom of Information Act, 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 respects.
5. Multi-track processing -- a system in which simple requests 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 requester who has an urgent need for records may request expedited processing (see below).
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 that an agency using multi-track processing places in its fastest (non-expedited) track based on the volume and/or simplicity of 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 of 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 response to a FOIA request, deleting information determined to be exempt under one or more of the FOIA's exemptions; or a decision to disclose some records in their entireties, but to withhold others in whole or 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 because no record is located in response to a FOIA request).
12. Time limits -- the time period in the Freedom of Information Act 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 or 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, of 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 numbers in the group. For example, of 3, 7, and 14, the average is 8.

IV. Exemption 3 Statutes

- A. List of Exemption 3 statutes relied on by agency during current fiscal year.

Federal Rule of Criminal Procedure 6(e),
10 U.S.C. 2305(g)
5 U.S.C. 638(j)(2)

1. Brief description of type(s) of information withheld under each statute.

Federal Rule of Criminal Procedure 6 (e)

Grand Jury material

10 U.S.C. 2305(g)

Withheld unsuccessful proposals for competitive procurements and those portions of successful proposals that were not incorporated into the contract.

5 U.S.C. 638(j)(2)

Withheld data generated by SBIR contractors who elected to retain their data rights in accordance with the retention period agreed to under the contract.

V. Initial FOIA/PA Access Requests

- A. Numbers of initial requests.

1. Number of requests pending as of end of preceding fiscal year:
99
2. Number of requests received during current fiscal year: **1740**
3. Number of requests processed during current fiscal year: **1652**

4. Number of requests pending as of end of current fiscal year: **187**

B. Disposition of initial requests.

1. Number of total grants: **676**

2. Number of partial grants: **457**

3. Number of denials: **102**

a. number of times each FOIA exemption used:

(1) Exemption 1: 1

(2) Exemption 2: 12

(3) Exemption 3: 15

(4) Exemption 4: 452

(5) Exemption 5: 22

(6) Exemption 6: 34

(7) Exemption 7(A): 5

(8) Exemption 7(B): 0

(9) Exemption 7(C): 13

(10) Exemption 7(D): 1

(11) Exemption 7(E): 1

(12) Exemption 7(F): 0

(13) Exemption 8: 0

(14) Exemption 9: 0

4. Other reasons for nondisclosure **(total): 417**

a. no records: 139

b. referrals: 148

- c. request withdrawn: 73
- d. fee-related reason: 1
- e. records not reasonably described: 18
- f. not a proper request for some other reason: 2
- g. not an agency record: 16
- h. duplicate request: 10
- i. other: 10
Required the creation of records

VI. Appeals of Initial Denials of FOIA/PA Requests

A. Numbers of appeals.

1. Number of appeals received during fiscal year: **18**
2. Number of appeals processed during fiscal year: **18**

B. Disposition of appeals.

1. Number completely upheld: **11**
2. Number partially reversed: **5**
3. Number completely reversed: **2**

a. Number of times each FOIA exemption used:

- (1) Exemption 1: 0
- (2) Exemption 2: 1
- (3) Exemption 3: 0
- (4) Exemption 4: 5

(5) Exemption 5: 4

(6) Exemption 6: 1

(7) Exemption 7(A): 1

(8) Exemption 7(B): 0

(9) Exemption 7(C): 1

(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): 5**

1. no records: 4

2. referrals 0

3. request withdrawn 0

4. fee-related reason 0

5. records not reasonably described 0

6. not a proper FOIA request for some other reason 0

7. not an agency record 1

8. duplicate request 0

9. other (specify) 0

VII. Compliance with Time Limits/Status of Pending Requests

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

1. Simple requests.

a. number of requests processed: **1276**

b. median number of days to process: 24

2. Complex requests (specify for any and all tracks used).

- a. number of requests processed: **373**
- b. median number of days to process: 38

3. Requests accorded expedited processing.

- a. number of requests processed: **3**
- b. median number of days to process: 3

B. Status of pending requests.

- 1. Number of requests pending as of end of current fiscal year: **187**
- 2. Median number of days that such requests were pending as of that date: 69

VIII. Comparisons with Previous Year(s)

	<u>FY</u>	<u>FY</u>
	<u>1999</u>	<u>2000</u>
A. Comparison of numbers of requests received	1661	1740
B. Comparison of numbers of requests processed	1670	1652
C. Comparison of median numbers of days requests were pending as of end of fiscal year	31	69
D. Other statistics significant to agency	none	
E. Other narrative statements describing agency efforts to improve timeliness of FOIA performance and to make records available to the public (e.g. backlog-reduction efforts; specification of average number of hours per processed request; training activities; public availability of new categories of records)		

Initiatives have been implemented at all NASA FOIA Offices to increase public availability of new categories of records by continually updating the homepages to include frequently requested information. Our goal is to decrease the number of requests, processing time, and costs associated with processing requests. FOIA Specialists are involved in training activities sponsored by ASAP, DOJ and NASA Headquarters.

IX. Costs/FOIA Staffing

A. Staffing levels.

1. Number of full-time FOIA personnel: 9
2. Number of personnel with part-time or occasional FOIA duties (in total work-years): 9
3. Total number of personnel (in work-years): 18

B. Total costs.

1. FOIA processing: \$ 671,027
2. Litigation-related activities: \$ 1,210
3. Total costs: \$ 672,237
4. Comparison with previous year(s). Higher than 1999 by \$91,149 1999 Total Cost: \$581,088

X. Fees

- A. Total amount of fees collected by agency for processing requests: \$34,578
- B. Percentage of total costs: 5%

XI. FOIA Regulations (Including Fee Schedule)

Available electronically on our FOIA Web page at <http://www.hq.nasa.gov/pao/FOIA/>.