

*The National Aeronautics and Space Administration
Langley Research Center
Fiscal Year 1998
Annual Freedom of Information Act Report*

I. Basic Information

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

Cheryl Winstead
Freedom of Information Act Officer

NASA Langley Research Center
Attn: FOIA Officer
Mail Stop 154
Hampton, VA 23681

Phone: (757) 864-2497
Fax: (757) 864-7732

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

<http://foia.larc.nasa.gov/readroom.html>

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

Mail or fax written request to:

NASA Langley Research Center
Attn: FOIA Officer
Mail Stop 154
Hampton, VA 23681

Fax: (757) 864-7732

OR

send e-mail request to: foia@larc.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 Langley Research Center
Attn: FOIA Office
Mail Stop 154
Hampton, VA 23681

Phone: (757) 864-2497
Fax: (757) 864-7732

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

FOIA requests are routinely responded to in the allotted 20 working days. Complex requests may require more time, depending on the nature of the request.

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

Usually the only reason requests are not granted is due to after a thorough search of records, no records responsive to the requests are found or the requests are not for agency records.

Various contractual data is exempt from disclosure under 14 C.F.R. 1206.300(b)(4) which covers trade secrets and commercial or financial information obtained from a person and is privileged or confidential.

III. Definitions of Terms and Acronyms Used in the Report

- A. Agency-specific acronyms or other terms.
- 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. (All requests for access to records, regardless of which law is cited by the requester, are included in this report.)
 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 (nonexpedited) 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 entirety, 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 number is 8.

IV. Exemption 3 Statutes

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

0

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

Not applicable

2. Statement of whether a court has upheld the use of each statute. If so, then cite example.

Not applicable

V. Initial FOIA/PA Access Requests

- A. Numbers of initial requests.

1. Number of requests pending as of end of preceding fiscal year

2. Number of requests received during current fiscal year

211

3. Number of requests processed during current fiscal year

211

4. Number of requests pending as of end of current fiscal year

28

B. Disposition of initial requests.

1. Number of total grants

117

2. Number of partial grants

57

3. Number of denials

a. Number of times each FOIA exemption used

| | |
|---------------------|----|
| (1) Exemption 1 | 0 |
| (2) Exemption 2 | 0 |
| (3) Exemption 3 | 0 |
| (4) Exemption 4 | 49 |
| (5) Exemption 5 | 2 |
| (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 (41 total)

| | |
|---|----|
| a. No records | 14 |
| b. Referrals | 12 |
| c. Request withdrawn | 2 |
| d. Fee-related reason | 0 |
| e. Records not reasonably described | 0 |
| f. Not a proper FOIA request for some other reason | 1 |
| g. Not an agency record | 3 |
| h. Duplicate request | 9 |
| i. Other | 0 |

VI. Appeals of Initial Denials of FOIA/PA Requests

See 1998 NASA Freedom of Information Act Report for appeal information.

VII. Compliance with Time Limits/Status of Pending Requests

1. Median processing time for requests processed during current fiscal year

17

****Multiple tracks are not used at NASA Langley***

B. Status of pending requests

1. Number of requests pending as of end of current fiscal year (enter this number from line V.A..4.)

28

2. Median number of days that such requests were pending as of that date

21

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

A. Comparison of numbers of requests received

1997 = 137 received 1998 = 211 received

B. Comparison of numbers of requests processed

1997 = 169 processed 1998 = 211 processed

C. Comparison of median numbers of days requests were pending as of end of fiscal year

Not available

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)

Continue to add multiple request documents to our electronic FOIA web site to hopefully decrease processing time and costs associated with processing requests.

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

3 part-time personnel = 1.5 work years

3. Total number of personnel (in work-years)

1.5

B. Total costs (including staff and all resources).

1. FOIA processing (including appeals)

\$45,299.00

2. Litigation-related activities (estimated)

\$0

3. Total costs

\$45,299.00

4. Comparison with previous years(s) (including percentage of change) (optional)

1997 = \$51,940 (approximately 10% decrease for 1998)

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

X. Fees

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

\$1,116.09

B. Percentage of total costs

Approximately 2% of total actual processing costs

XI. FOIA Regulations (Including Fee Schedule)

Agencies should provide electronic link for availability in electronic form and attach copy in paper form.

<http://www.hq.nasa.gov/office/pao/FOIA/fedregix.html>