

Public Information Handbook



National Science Foundation
Arlington, VA 22230

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WHAT IS THE NATIONAL SCIENCE FOUNDATION (NSF)?

The National Science Foundation (NSF) was established by the National Science Foundation Act of 1950, as amended, and related legislation, and was given additional authority by the Science and Engineering Equal Opportunities Act and Title I of the Education for Economic Security Act.

The National Science Foundation is an independent U.S. government agency responsible for promoting science, engineering and science education through programs that invest over \$3.3 billion per year in all disciplines of the natural and social sciences, mathematics, and engineering. The agency receives approximately 30,000 research proposals for awards per year. The applications are competitively reviewed, and the agency makes about 20,000 awards each year to educational institutions, scientists, teachers, students, laboratories, inventors, and others involved in research and education.

REQUESTING INFORMATION/RECORDS FROM NSF

The National Science Foundation has a longstanding policy of making the fullest possible disclosure of information and records to any requester, without unnecessary expenses or delay. Non-FOIA requests are handled directly by the appropriate program office.

FOIA requests are logged in and tracked by the NSF FOIA Officer, who coordinates the search for records, review and response with appropriate program office(s). In some cases it may be necessary for copies of documents not designed for public distribution to be reviewed and certain information protected by specific FOIA exemption(s) removed.

NSF policy documents, staff instructions and manuals are available to the public in the library at 4201 Wilson Blvd., Arlington, VA. These documents, and most other NSF publications, are also available in electronic form through NSF's Home Page on the World Wide Web at <www.nsf.gov>.

NSF has an Information Desk that can provide answers to general questions, or direct inquiries to the appropriate office. The Information Desk is physically located directly opposite the library on the second floor at 4201 Wilson Blvd., Arlington, VA, and can be reached by phone at (703) 306-1234 or email at <firstop@nsf.gov>.

This handbook is intended to assist the requester in determining what records NSF has and how to request copies. Although decisions on release of records are made on a case-by-case basis, this guide reflects the agency's general policies. These policies are subject to change without notice based upon guidance from higher authority or changes in case law. NSF formal regulations on FOIA are published in the Code of Federal Regulations at 45 CFR 612, available from the Office of the Federal Register at <www.access.gpo.gov/nara/cfr>.

Copies of the agency's Freedom of Information Act report can be requested from the FOIA Officer, and the report will be available electronically through the Public Information option on the NF Home Page beginning in 1999. NSF's entry in the Government Information Locator Service (GILS) can be found at <www.access.gpo.gov/su_docs/gils/gils.html>.

HOW IS NSF ORGANIZED?

NSF is organized by major functional areas as follows:

OFFICES: National Science Board
Director (includes Office of the General Counsel, Office of Legislative & Public Affairs, Office of Integrative Activities, Office of Equal Opportunity Programs, and Office of Polar Programs)
Inspector General
Budget, Finance, and Award Management
Information and Resource Management

DIRECTORATES: Biological Sciences
Computer and Information Science and Engineering
Education and Human Resources
Engineering
Geosciences
Mathematical and Physical Sciences
Social, Behavioral and Economic Sciences

Detailed information about the individual Offices/Directorates is available on the NSF Home Page <www.nsf.gov>.

TYPES OF RECORDS COMMONLY REQUESTED FROM NSF

Most requests for records to NSF concern awards made by the agency for research in the sciences, mathematics and engineering. These records are maintained by the relevant program offices within the Directorate. Requests can be made directly to the appropriate Directorate, or to the Freedom of Information Act Officer. Information on funded applications is releasable to the public upon removal of personal and/or proprietary information.

The publications cited below are available in electronic form through the "Documents Online" facility of NSF's Home Page <www.nsf.gov>:

Directory of Projects
Forms
General Information - includes annual "Guide to Programs"
News Releases

Newsletters/Journals
Policies & Procedures
Program Announcements & Information
Reports - includes "State Award Summary by Fiscal Year/Institution"
Statistical Reports on U.S. Science - includes various reports on Science & Engineering
Summary of Awards
Vacancy Announcements

An index of FOIA Frequently Requested Records will be published, if applicable, on the Home Page under "Public Information - FOIA and Privacy Act Requests." Where possible, this will include an electronic version of the actual records released.

Records within Privacy Act "system of records" (containing information about individuals where records are retrieved by an individual's personal identifier) are covered under published system notices. Requests for your own records should be directed to the Privacy Act Officer (see "ADDRESSES" below).

Please note that requests for records should be specific enough so that the agency can locate any responsive records, that the FOIA applies only to existing records, that the FOIA is for release of records and not answers to general questions, and that the agency is not required to create records to respond to any request. The agency maintains the option to negotiate with the requester, at the agency's discretion, about what records it may be possible to create in certain circumstances where there are voluminous records involved, or the format of the records may be different than requested.

HOW DO I ASK FOR RECORDS/INFORMATION?

NSF policy is to make the fullest possible disclosure of information and records to any requester, without unnecessary expenses or delay.

Please note that all requests for documents maintained by the Office of the Inspector General should be addressed directly to the OIG in Room 1135.

Without using FOIA: Simply send your request directly to the appropriate program office. You can find NSF's organizational directory listed on our Home Page on the Internet at <nsf.gov> or contact the Information Desk at (703) 306-1234 or email at <firststop@nsf.gov> to determine the correct office title. Send your request to: {Appropriate program office}, 4201 Wilson Blvd., Arlington, VA 22230

Using the FOIA: Follow agency procedures published at 5 CFR 612. There are four basic requirements:

- (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.

Requests can be mailed to the NSF FOIA Officer in Room 1265 at 4201 Wilson Blvd., Arlington, VA 22230; or sent by facsimile transmission to 703-306-0149; or sent electronically to <foia@nsf.gov>.

WHAT HAPPENS WHEN I MAKE A REQUEST?

If your request does not adequately identify the records you are seeking or include agreement to pay any applicable fees, you will be contacted to clarify your request.

Non-FOIA: After receipt in the appropriate program office, staff determine if the requested documents exist, make copies of the records, and review them or arrange for review and release.

FOIA: Upon receipt in the Office of the General Counsel, the FOIA Officer logs in the request and forwards it to the appropriate program office, where staff determine if the requested documents exist, make copies of the records, and review them or arrange for review and release. If it is anticipated that the agency can respond to the request in less than twenty working days, no separate acknowledgement letter will be sent. NSF handles FOIA requests on a first in-first out basis. Any request for expedited processing must specifically document "compelling need" as described under "HOW LONG WILL IT TAKE?" below.

HOW MUCH WILL IT COST TO GET RECORDS?

Fees are charged based upon the requester's category, as noted below:

Requesters seeking records for commercial use (law firms, contractors, etc) are charged the full costs of search, duplication, and review.

Representatives of educational and non-commercial scientific institutions seeking records for scholarly or scientific research are charged duplication fees only, and only after receiving the first 100 pages free - no charge for search or review.

News media representatives are charged duplication fees only, and only after receiving the first 100 pages free - no charge for search or review.

Others (general public) are charged for search time (after the first two hours, which are free) and duplication fees (only after receiving the first 100 pages free) - no charge for review.

Note that search fees can be charged to “commercial” and “other” requesters even if no responsive records are found.

NSF fee schedule is as follows:

Search (time spent looking for responsive records) is charged for paper records at \$10/hour clerical and \$30/hour professional; for electronic searches the charge is the actual direct cost of computer time/operator salary involved

Duplication - \$0.25/page for paper records, actual cost (including operator time and cost of materials) for copies prepared by computer

Review (time inspecting documents to determine if any information should be withheld and marking them for release) is charged at reviewer’s salary plus 16% to cover overhead

NSF does not charge requesters if the applicable fee will be less than \$25. If the fees would be over \$250, NSF may ask for payment before beginning processing, depending upon the past payment record of the requester.

Note that NSF regulations allow the aggregation of requests where it is clear that a requester is attempting to avoid fees by breaking up a single large request into smaller pieces. Also, failure to pay fees will result in future requests being held from processing until payment for past releases has been made in full.

FEE WAIVER

If you wish to request a waiver of fees, you must provide detailed information about why the disclosure of the requested records is not primarily in your commercial interest, how release of the requested records would show significant information about NSF’s operations and activities, and how you intend to disseminate such information to the public.

HOW LONG WILL IT TAKE?

Most requests for NSF-created records can be reviewed and responded to in less than twenty working days, unless the request is for a voluminous amount of records, the records must be retrieved from off-site storage, or there is a need to consult with another agency or agency component. The requester will be informed of any reason for delay, and given an estimated date of release.

Requests for records where coordination with the submitter is required (proposals and other award documents, contracts, etc.) may take longer than 20 days. NSF staff attempt to receive clearance from submitter for release within ten working days after they begin processing the

documents. However, because of occasional difficulties in reaching the submitter (particularly during the summer months), and/or negotiation with the submitter when the agency does not agree with the submitter's requested withholding, release of records can sometimes be delayed. In such cases, the requester will be notified of the reason for the delay and given an estimated date of release.

Requests for records that must be retrieved from off-site storage (generally award documents that have been closed for over five years) will sometimes be delayed by up to two weeks because of the necessity for requesting retrieval of those documents from the storage facility. Whenever possible, the requester will be notified of the need for retrieval in advance, and given an estimated date of release.

EXPEDITED PROCESSING

A requester can ask for their request to be expedited under the FOIA if they show compelling need. The requester must justify compelling need by providing a certified statement that

(1) failure to obtain records on an expedited basis could pose an imminent threat to the life or physical safety of an individual; or

(2) on the part of news media requesters, that there is an urgent need to inform the public concerning actual or alleged Federal Government activity.

WHAT INFORMATION DOES NSF WITHHOLD?

The Freedom of Information Act has nine exemptions that allow (or in some cases require) the withholding of certain information that meets the requirements of the exemption. This agency most often uses the following:

Exemption 3 - to protect information required by other statutory authority to be withheld

Exemption 4 - to protect trade secrets and commercial or financial information received from a private source when release would cause harm to the competitive position of submitter

Exemption 5 - to protect agency's internal deliberative process in areas of decisionmaking, recommendations and legal advice

Exemption 6 - to protect personal information about individuals when release would result in an unwarranted invasion of privacy

Exemption 7 - may be used by the Office of the Inspector General to protect investigative records

All proposals, contracts and other funding documents are reviewed by staff in NSF's Office of Budget, Finance & Award Management before release. Personal information is removed, and the submitter of the information is contacted and given the opportunity to designate confidential commercial information that should be removed from the documents.

Other agency records are reviewed by the program office and/or the FOIA Officer to determine if any information should be withheld.

HOW DO I KNOW WHAT'S BEEN WITHHELD AND WHY?

When records (or portions of the records) are withheld, the response to the requester will contain information about what was withheld and why. The response will cite the specific FOIA exemption that allows the withholding.

HOW DO I APPEAL THE AGENCY'S RESPONSE?

Requesters can appeal if they do not receive some or all of the requested records, or if NSF refuses to reduce or waive fees (see "FEE WAIVER" below).

Appeals must be filed within ten working days of receipt of the agency response. All appeals must be made in writing to the Office of the General Counsel, 4201 Wilson Blvd., Arlington VA, 22230. Please include a copy of your original request, and an explanation of why you believe the response was in error.

ADDRESSES

Publications: NSF Publication Clearinghouse
P.O. Box 218
Jessup, MD 20794-0128
Phone: (301) 947-2722
Email: <pubs@nsf.gov>

FOIA requests: National Science Foundation
FOIA Officer (Room 1265)
4201 Wilson Blvd.
Arlington, VA 22230
Fax: (703) 306-0149
Email: <foia@nsf.gov>

Non-FOIA requests: {Appropriate program office - *if unknown, contact the Information Desk*}
4201 Wilson Blvd.
Arlington, VA 22230

Information Desk: Information Desk/Firstop
4201 Wilson Blvd.
Arlington, VA 22230
Phone: (703) 306-1234

<firstop@nsf.gov>

Office of the Inspector General: OIG
Room 1135
4201 Wilson Blvd.
Arlington, VA 22230
<oig@nsf.gov>

Privacy Act Officer: National Science Foundation
Privacy Act Officer (Room 1265)
4201 Wilson Blvd.
Arlington, VA 22230

MAJOR INFORMATION SYSTEMS OF NSF

NSF has seven major information systems:

- (1) Proposal System - contains data on proposal submission, review and award

NSF releases information about funded proposals, withholding only information personal to Principal Investigator(s) under Exemption 6 and proprietary information under Exemption 4. Information on unfunded proposals is not released to anyone other than the submitter of the proposal. Predecisional materials such as reviews are withheld under Exemption 5.

- (2) Reviewer System - contains names and institutional affiliations of individuals serving as reviewers for NSF

NSF releases names of reviewers by NSF Division and at the chartered committee/panel level as reported in the NSF Annual Report to General Services Administration. Names and other identifying information about individuals who participated in the review process for particular proposals are withheld to protect the privacy of the individual (Exemption 6) and the decisionmaking process of the agency (Exemption 5)

- (3) Awards System - contains publicly available information about awards officially granted by NSF (NOTE: Abstracts for all awards made by NSF since 1989 are available on NSF's Home Page at <www.nsf.gov> using the "Fast Lane" facility)

NSF releases the following information about awards funded by the agency: title, type, NSF organization, latest amendment date, file and award number, type of award instrument, NSF Program Manager name, start and expiration dates, expected total amount of award, Principal Investigator (PI) name and institutional affiliation, NSF Program Designation and field application, and text of abstract.

- (4) Financial System - contains information on NSF budget and financial activities including funds control and disbursement and payroll processing
- (5) Human Resource Management - contains records about NSF staffing, classification and personnel, labor relations, performance management, training, and committee management
- (6) Information Systems - contains records about data systems acquisition and use, applications development and maintenance, data integrity, reporting training and external dissemination
- (7) Administrative Systems - contains records about NSF procurement, facilities, operations, travel, telecommunications, and printing

RECORD LOCATOR SYSTEMS OF NSF

NSF Home Page at <www.nsf.gov> allows searching record locator systems for

- (1) specific documents (by type/reference number/text search/date range);
- (2) information about specific program areas;
- (3) staff locator information; and
- (4) information about specific awards/grants (by date range/program area/institution/state/text search)

NSF maintains an Information Desk that provides information about locating agency staff and publications. Phone: 703-306-1234, Email: <info@nsf.gov>

The National Science Foundation (NSF) funds research and education in most fields of science and engineering. Grantees are wholly responsible for conducting their project activities and preparing the results for publication. Thus, the Foundation does not assume responsibility for such findings or their interpretation.

NSF welcomes proposals from all qualified scientists, engineers and educators. The Foundation strongly encourages women, minorities, and persons with disabilities to compete fully in its programs. In accordance with federal statutes, regulations, and NSF policies, no person on grounds of race, color, age, sex, national origin, or disability shall be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving financial assistance from NSF (unless otherwise specified in the eligibility requirements for a particular program).

Facilitation Awards for Scientists and Engineers with Disabilities (FASSED) provide funding for special assistance or equipment to enable persons with disabilities (investigators and other staff, including student research assistants) to work on NSF-supported projects. See the program announcement or contact the program coordinator at (703) 306-1636.

The National Science Foundation has Telephonic Device for the Deaf (TDD) and Federal Information Relay Service (FIRS) capabilities that enable individuals with hearing impairments to communicate with the Foundation regarding NSF programs, employment, or general information. TDD may be accessed at (703) 306-0090 or through FIRS on 1-800-877-8339.

NSF 99-63 (Replaces NSF 97-173) Electronic Dissemination Only