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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 report.

Lynne Munson                              Michael P. McDonald
Deputy Chairman                          Deputy General Counsel
National Endowment for the Humanities    National Endowment for the Humanities
1100 Pennsylvania Avenue, NW             1100 Pennsylvania Avenue, NW
Room 503                                 Room 529
Washington, DC  20506                    Washington, DC  20506
(202) 606-8273                           (202) 606-8322


http://www.neh.gov/whoweare/foiamain.html

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

Paper copies of this report can be obtained from Michael McDonald. Mr. McDonald’s contact information is provided in Item I. A.
II. HOW TO MAKE A FOIA REQUEST

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

http://www.neh.gov/whoweare/foiamain.html

A. Agency components and offices that received FOIA requests.

FOIA requests should be addressed to: Office of the General Counsel, National Endowment for
the Humanities, 1100 Pennsylvania Avenue, NW, Room 529, Washington, DC  20506. E-mail
requests may be addressed to: gencounsel@neh.gov

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

The agency responded to simple requests in approximately fourteen (14) working days and
complex requests in approximately thirty (30) 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. The secondary reason for not
granting requests is that the agency had no records responsive to the request.

III. DEFINITIONS OF TERMS AND ACRONYMS USED IN THE REPORT

A. Agency-specific acronyms or other terms.

NEH - National Endowment for the Humanities

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
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 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 in 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 number is 8.

IV. **EXEMPTION 3 STATUTES**

No exemption 3 statutes were used by the agency during fiscal year 2003.

V. **INITIAL FOIA/PA ACCESS REQUESTS**

A. **Numbers of Initial Requests.**

1. Number of requests pending as of end of preceding fiscal year 4
2. Number of requests received in current fiscal year 45
3. Number of requests processed during current fiscal year 42
4. Number of requests pending as of end of current fiscal year 7

B. **Disposition of initial requests.**

1. Number of total grants 21
2. Number of partial grants 13
3. Number of denials 1
   a. Number of times each FOIA exemption used
      Exemption 1 0
      Exemption 2 0
4. Other reasons for nondisclosure (total) 
   a. no records 5
   b. referrals 0
   c. request withdrawn 1
   d. fee-related reason 1
   e. records not reasonably described 0
   f. not a proper FOIA request for some other reason 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 1
   2. Number of appeals processed during fiscal year 0

B. Disposition of appeals.

   1. Number completely upheld 0
   2. Number of partially reversed 0
   3. Number of completely reversed 0
      a. number of times each FOIA exemption used
         Exemption 1 0
         Exemption 2 0
         Exemption 3 0
         Exemption 4 0
         Exemption 5 0
         Exemption 6 0
         Exemption 7 0
         Exemption 8 0
         Exemption 9 0
4. Other reasons for nondisclosure (total)  
   a. no records 0  
   b. referrals 0  
   c. request withdrawn 0  
   d. fee-related reason 0  
   e. records not reasonably described 0  
   f. not a proper FOIA request for some other reason 0  
   g. not an agency record 0  
   h. duplicated request 0  
   i. other (specify) 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 31  
      b. average number of days to process 14  
   
   2. Complex requests 
      a. number of requests processed 11  
      b. average number of days to process 30  
   
   3. Requests accorded expedited processing. 
      a. number of requests processed 0  
      b. average number of days to process 0  

B. Status of pending requests.
   
   1. Number of requests pending as of end of current fiscal year 7  
   2. Average number of days that such requests were pending as of that date 62

VIII. COMPARISONS WITH PREVIOUS YEAR(S)

A. Number of requests received in:  
   FY 2001 FY 2002 FY 2003  
   55  67  45

B. Number of requests processed in:  
   FY 2001 FY 2002 FY 2003  
   53  72  42

C. Number of request pending at end of FY:  
   FY 2001 FY 2002 FY 2003  
   9  4  7
C. Other statistics significant to agency

The agency received one request for expedited processing. No requests for expedited processing were granted.

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)

In several instances, FOIA requesters were referred to the agency website to retrieve information responsive to their specific requests. Over the last year, the agency has continued to make more information available on its website. The availability of this information on the agency’s website has contributed to a reduced number of FOIA requests. With this reduction, overall costs associated with responding to FOIA requests were slightly less this year than last.

IX. COSTS/FOIA STAFFING

A. Staffing levels.

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

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

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

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

X. FEES

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

B. Percentage of total costs

XI. FOIA REGULATIONS (INCLUDING FEE SCHEDULE)

http://www.neh.gov/whoweare/foia/foiaguide.html