

FREEDOM OF INFORMATION ACT REQUEST CHECKLIST/FEE WORKSHEET

FOIA Requester: _____ **FOIA Response Due Date:** _____

FOIA Request Number: _____ **Person Preparing Response:** _____ **Date:** _____

Scoping the Request (Check all applicable items)

- Identify responsive records.
- Contact the requester by phone to negotiate/clarify the request. Date: _____
- Contact any other offices, services, regions, etc., which are likely to have responsive records. Date: _____

- Estimate fees
 - Fee waiver requested.* Granted* Denied*
 - Calculate estimated fees.*
 - Notify requester of fee estimate (if over \$25) and/or requirement to prepay fees (if estimate is over \$250 or previous payments not timely)* Date: _____

- Send a follow-up letter or fax re: renegotiated or clarified request, extension and fee.* Date (s): _____
- Basis for extension*
 - Volume Consultation Records located in field facilities/other establishments separate from office processing request

Search and Review (Check all applicable items)

- Search all sources likely to house responsive records.
- Obtain records from and coordinate response with other offices, services, regions, etc.
- If no records are located, document the search in the *remarks section (page 4)* stating the type of search (*manual, automated*), the files searched, and the name and title of the person who conducted the search.
- Determine whether any exemptions apply.*
 - Exemption 1.** Classified information
 - Exemption 2.** Internal matters that would risk circumvention of statute or agency regulations
 - Exemption 3.** Information specifically protected by other statutes; list statute
 - Exemption 4.** Trade secrets or commercial or financial information that is privileged or confidential and submitted to the agency by any person
 - Exemption 5.** Interagency and intra-agency memoranda or letters that would normally be privileged; i.e., predecisional and deliberative; attorney work product; attorney-client privilege
 - Exemption 6.** Information about an individual the disclosure of which would constitute a clearly unwarranted invasion of personal privacy
 - Exemption 7.** Information compiled for law enforcement purposes, if disclosure
 - (a) could reasonably be expected to interfere with enforcement proceedings
 - (b) could reasonably be expected to deprive a person of a right to a fair trial
 - (c) could reasonably be expected to constitute a clearly unwarranted invasion of personal privacy
 - (d) could reasonably be expected to disclose identity of a confidential source
 - (e) could disclose techniques and procedures for law enforcement investigations or prosecutions
 - (f) could reasonably be expected to endanger the life or physical safety of an individual
 - Exemption 8.** Information submitted for regulation or supervision of financial institutions
 - Exemption 9.** Geological and geophysical information concerning wells
- Contact any other agency or private party about documents they submitted to FAA*
- Calculate fees charged to requester and actual agency costs. (*Consult fee worksheet on page 3*)*

* **Apprise FOIA coordinator of action/status to be entered in the National Tracking System (NTS). NTS is an online tracking system that lists all FOIA requests and allows tracking from initial entry through final response (and appeal process, if applicable).**

FREEDOM OF INFORMATION ACT REQUEST CHECKLIST/FEE WORKSHEET (Continued)

FOIA Requester:

FOIA Request Number:

Decision Letter — Full Disclosure* (Check if all of request is located and released)

- Signed by program director or division manager, as appropriate*
- Collect fees (payable to DOT/FAA)

Decision Letter — Denial/Partial Denial* (Check if any material is denied)

- Signed by the head of office, service, region, or center, as appropriate*
- Name(s) & title(s) of person responsible for denial
- Cite applicable exemption and include brief statement explaining the exemption
- Specifically identify the information being withheld and the exemption that applies to that specific information
- Include appeal rights paragraph
- Coordinate with all offices having an interest in the document
- Coordinate with FOIA legal staff*
- Collect fees (payable to DOT/FAA)

Decision Letter — “No Records” Determination* (Check if no records are located for all or part of request)

- Signed by the head of office, service, region, or center, as appropriate*
- Name(s) & title(s) of person responsible for determination
- State type of search conducted and the location of files searched
- Include appeal rights paragraph
- Coordinate with all offices likely to have responsive documents
- Coordinate with FOIA legal staff (and ARC-40, if headquarters)*
- Collect fees for search, if appropriate (payable to DOT/FAA)

Other Determination Not to Comply (Check applicable item)*

- Referral to another DOT mode, or referral of records to another federal agency*
- Failure to adequately identify records sought*
- Request cancelled/withdrawn*
- Refusal to pay reasonable fee*

FOIA File Documentation (Check all applicable items)

- Maintain a copy of, or create an index of documents released and withheld
- Document search in remarks, if no records found*
- Complete the checklist/fee worksheet and include it in the file*
- Forward a copy of the signed decision letter (with FOIA no.) to HQ or regional FOIA coordinator and any other involved office(s)
- REGION/CENTER:** Forward a copy of signed denial/part denial or “no records” decision letter to AGC-110 and ARC-40. **HQ:** Forward a copy of signed denial/part denial or “no records” decision letter to AGC-110 and a copy of all signed decision letters with completed checklist/fee worksheet to ARC-40

* Apprise FOIA coordinator of action/status to be entered in the National Tracking System (NTS). NTS is an online tracking system that lists all FOIA requests and allows tracking from initial entry through final response (and appeal process, if applicable).

FREEDOM OF INFORMATION ACT CHECKLIST/FEE WORKSHEET

FOIA Request Number:

Fee Waiver Requested

Fee Waiver Approved

FEE CATEGORY OF REQUESTER	TYPE OF FEE		
	SEARCH	REVIEW	DUPLICATION
<input type="checkbox"/> Commercial use	All	All	All
<input type="checkbox"/> News media	None	None	All except first 100 pages
<input type="checkbox"/> Educational and noncommercial scientific institutions	None	None	All except first 100 pages
<input type="checkbox"/> All other	All except cost of first 2 hours	None	All except first 100 pages

FEE COMPUTATION: CONTACT YOUR FOIA COORDINATOR TO AUTOMATICALLY CALCULATE FEES USING THE FOIA NATIONAL TRACKING SYSTEM (NTS) OR TO OBTAIN THE DOT ACTUAL DOLLAR RATE FOR MANUAL CALCULATIONS.

EMPLOYEE PAY RANGES

PAY RANGE 1: FG-1 thru FG-8 , or Pay Bands A thru F	PAY RANGE 2: FG-9 thru FG-14, or Pay Bands G thru J	PAY RANGE 3: FG-15 and above, or Pay Bands K thru L

A Search Time (Applies to time spent searching for or locating responsive records).

1. Manual	Searcher's Pay Range	Hours Searched	DOT Actual Dollar Rate	Total	Charged to Requester	Incremental Costs not charged to requester
	Actual CPU Time	Operator time (rate X hours searched)	DOT Actual Dollar Rate	Total	Charged to Requester	Incremental Costs not charged to requester
2. Central Processing Unit						

B Review Time (Applies to time spent reviewing any responsive records to determine whether they are exempt from disclosure).

	Reviewer's Pay Range	Hours Reviewed	DOT Actual Dollar Rate	Total	Charged to Requester	Incremental Costs not charged to requester

FREEDOM OF INFORMATION ACT REQUEST CHECKLIST/FEE WORKSHEET (Continued)

C Duplication Costs (Applies to duplicating responsive records).

Type of Duplication	Quantity and Rate	Total	Charged to Requester	Incremental Costs not Charged to Requester
1. Photocopies	_____ pages x 0.10 per page			
2. Certified Copies	_____ packages <u>with seal</u> x \$4.00			
	_____ packages <u>without seal</u> x \$2.00			
3. Computer Tapes & Printouts	Actual Cost			
4. Other Methods	Actual Cost			
5. Digital Audio Tapes (DAT)	\$25.00 per DAT + \$30.00 for each different block of time requested within a facility's 24-hour master DAT. (See latest version of FAA Order 7210.3, Facility Operation and Administration)			
6. ATC Tapes	_____ hours or portion thereof x \$30.00			

D Other Incurred Costs Not Charged to Requester (Specify)

<i>Charged to Requester</i> TOTAL =		<i>Incremental Costs</i> TOTAL =	
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Remarks:

FOIA Respondent Completion of FOIA Request, Checklist, & Fee Worksheet (Signature)	Date
FOIA Coordinator Checklist, Fee Worksheet & Response Letter Review (Signature)	Date