

**NATIONAL WEATHER SERVICE INSTRUCTION 1-603**

**October 31, 2016**

**Administration and Management  
External Inquiries/Internal Audits, NWSPD-1-6**

**FREEDOM OF INFORMATION ACT PROCEDURES**

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**NOTICE:** This publication is available at: <http://www.nws.noaa.gov/directives/>.

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**OPR:** W/CFO2 (D. Hamilton)

**Certified by:** W/CFO2 (L. Love)

**Type of Issuance:** Routine

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**SUMMARY OF REVISIONS:** This directive supersedes NWSI 1-603, *Freedom of Act Procedures*, dated November 4, 2003. Changes made to reflect the NWS Headquarters reorganization effective April 1, 2015. No content change.

- NWS FOIA Points of Contact – updated
- Useful Websites - updated

Signed

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John E. Potts  
Chief Financial Officer/  
Chief Administrative Officer

October 17, 2016

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Date

**Freedom of Information Act**

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1. Purpose. To provide guidance to all National Weather Service (NWS) personnel for processing requests under the Freedom of Information Act (FOIA) based on the National Oceanic and Atmospheric Administration (NOAA) Administrative Order 205-14 (see Appendix A, Link 3 for link to website). Appendix B is a list of NWS FOIA Points of Contact. Appendix C illustrates the FOIA process.

2. Procedures and Responsibilities. When FOIA requests are received directly at an NWS office, the office will immediately contact the NWS FOIA Administrators in the Management and Organization Division of the NWS Office of the Chief Financial Officer/Chief Administrative Officer (W/CFO2) Denise Hamilton at (301) 427-6936. In turn, the NWS FOIA Administrator will forward the request to the NOAA FOIA Officer for submission into the FOIA On-line System (See Appendix A, Link 5).

2.1. The NOAA FOIA Officer. The NOAA FOIA Officer is responsible for:

- a. Coordinating all FOIA inquiries.
- b. Maintaining NOAA FOIA Control System for all FOIA requests within NOAA via the FOIA On-Line system.
- c. Assigning due dates for completion of FOIA requests.

- d. Forwarding FOIA requests pertaining to NWS to the NWS FOIA Administrator, via the FOIA On-Line system.
- e. Ensuring replies comply with the 20-working-day response time established by
- f. Preparing/submitting “FOIA Annual Report to Congress” to DOC FOIA Officer.

2.2 NWS FOIA Officer. The NWS FOIA Officer (Lisa Love, CFO/CAO, Director, Management and Organization Division) will sign FOIA response letters when no information is withheld.

2.3 NWS FOIA Administrator. The NWS FOIA Administrator, Denise Hamilton (301) 427-6935 will:

- a. Notify NOAA FOIA Officer of FOIA requests received by NWS personnel or offices.
- b. Notify NOAA FOIA Officer if a FOIA request was misdirected or incorrectly assigned to NWS.
- c. Assign FOIA requests to the appropriate NWS organization(s) for response.
- d. Ensure all FOIA requests are completed within the 20-working-day time frame (if extensions are necessary, notify requester and NOAA FOIA Officer and document in writing who approved the extension and the extension date).
- e. Maintain a log of FOIA requests to include:
  - (1) NOAA FOIA On-Line assignment number.
  - (2) Name of requester, receipt date, due date.
  - (3) NWS person/office assigned the FOIA action
  - (4) A brief description of the FOIA request.
- f. If the scope of the information requested is broad, contact the requester for clarification and to narrow the scope of their request.
- g. BEFORE processing FOIA requests, notify the requester of any fees due. Calculate charges associated with individual FOIA requests according to 15 CFR Part 4 (see Appendix A,

Link 3). For charges greater than \$250, or if requester has not paid for previous FOIA requests, notify them by letter that prepayment is required before FOIA information is released.

h. Coordinate with NOAA General Counsel to determine what information is releasable and what information should be withheld under the FOIA exemptions and redirect information covered by the Privacy Act.

i. Notify NOAA FOIA Officer if a partial or full denial is recommended:

(1) Before initial denial is issued, request the operating unit provide a memorandum to file.

(2) Ensure memo documents the action office considered discretionary disclosure and explains why such disclosure is not appropriate.

(3) Ensure memo documents the concurrences obtained.

(4) Present questions about proposed denials to NOAA FOIA Officer.

j. Ensure denials are signed by the Deputy Assistant Administrator for Weather Services or the Assistant Administrator for Weather Services.

k. Send completed response letter and any attachments to NOAA FOIA Officer, via FOIA On-Line.

l. Ensure checks or money orders received for processing FOIA requests are made payable to the United States Treasury, identified by FOIA number, and sent to the NOAA FOIA Officer.

m. Provide input to NOAA FOIA Officer for "FOIA Annual Report to Congress."

n. Provide copies of records to NOAA FOIA Officer when 3 more requests are received for the same information.

o. Coordinate and ask for advice from General Counsel on non-routine or sensitive FOIA requests.

p. In the event of a FOIA appeal, provide the DOC or NOAA FOIA Officer with a copy of records released and redacted/withheld citing exemption which applies for withholding information.

q. Notify NOAA FOIA Officer when he/she is no longer performing FOIA liaison duties and supply NOAA FOIA Officer with replacement's name.

2.4 NWS FOIA Points of Contact. NWS FOIA Points of Contact will ensure their Office completes the following:

- a. Search for records and required information to respond to FOIA requests.
- b. Provide NWS FOIA Administrator with good-faith fee estimate information (estimate of how many search hours at what grade/step and how many pages of responsive records anticipated).
- c. Respond to assigned FOIA requests in a manner allowing the NWS FOIA Administrator to honor the 20-working-day required response time.
- d. Advise NWS FOIA Administrator if an extension to the suspense date is needed.
- e. Notify NWS FOIA Administrator if a FOIA request was misdirected or incorrectly assigned.

3. FOIA Requests for Agency Records Originating From or Involving The White House or Congress

- a. FOIA requests received by NWS directly from the originator for agency records which originated in or involve the White House will be forwarded to the NOAA FOIA Officer by the NWS FOIA Administrator to assign to NWS or the appropriate line office.
- b. FOIA requests from a Congressional Office will be processed as a regular FOIA request. If it is a FOIA request from a member of Congress on behalf of a Congressional Committee, it will be processed through Legislative Affairs.

## **APPENDIX A**

### **USEFUL FOIA WEBSITES**

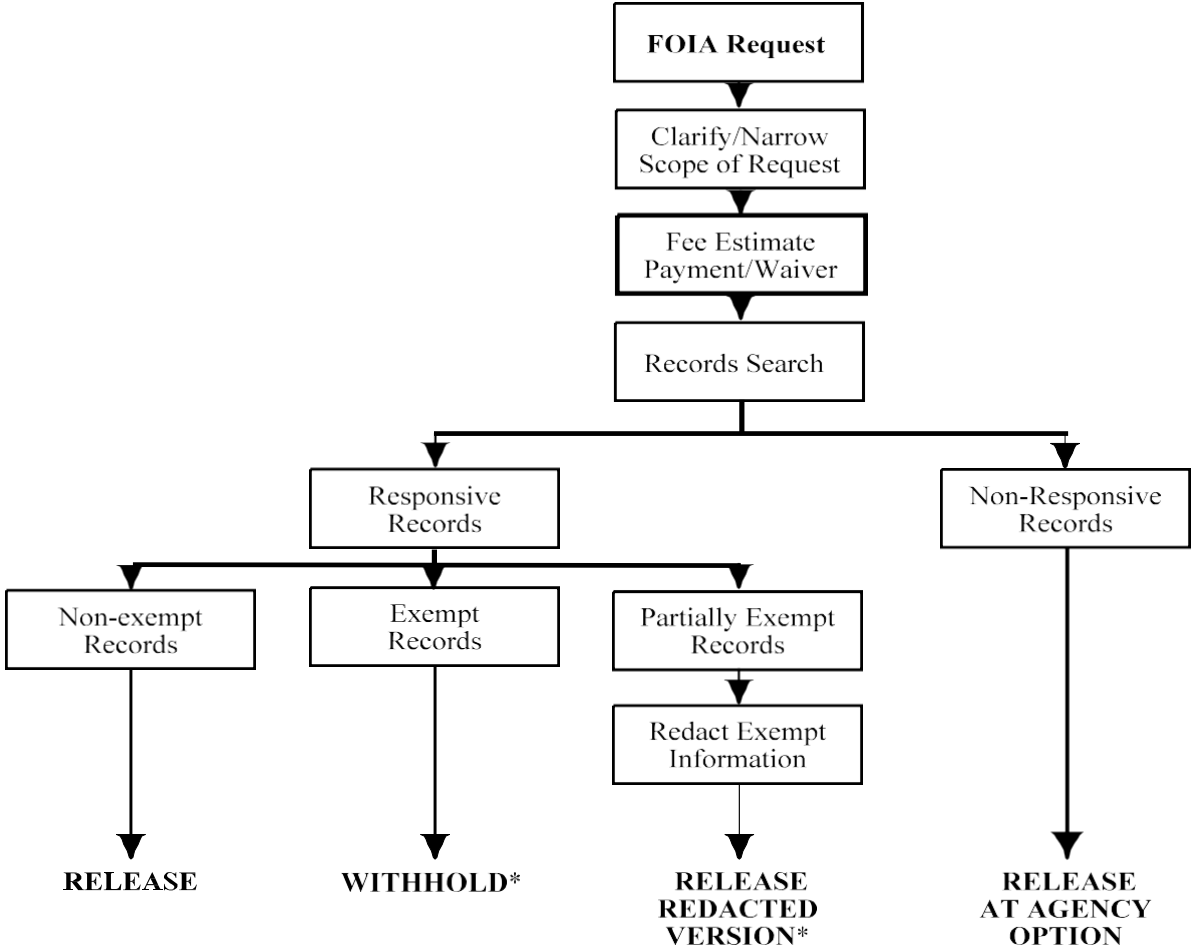
1. NOAA FOIA Home Page  
(Overview/Filing a FOIA Request)  
<http://www.noaa.gov/foia-freedom-information-act>
2. List of Exemptions  
<http://www.noaa.gov/foia-exemptions>
3. List and links to FOIA Policies  
<http://www.noaa.gov/foia-reading-room>
4. Link to Department of Justice FOIA Resources Homepage  
<https://www.justice.gov/oip/foia-resources>
5. Link to FOIA On-Line Website  
<https://foiaonline.regulations.gov/foia/action/public/home>
6. Link to FOIA Frequently Asked Questions  
[http://www.rdc.noaa.gov/foia/training\\_tutorials/questions.html](http://www.rdc.noaa.gov/foia/training_tutorials/questions.html)

APPENDIX BNWS FOIA Points of Contact  
(July 2016)

<u>Organization</u>	<u>POC (Alternate)</u>	<u>Phone Number</u>
W/AFS	Andrew Stern	(301) 427-9120
W/CP	David Michaud	(301) 427-9787
W/DISS	Luis Cano	(301) 427-9269
W/NCEP	William Lapenta	(301) 683-1315
W/NWC	Thomas Graziano	(301) 427-6904
W/OBS	Joseph Pica	(301) 427-9778
W/OF	Deidre Jones	(301) 427-9183
W/STI	Ming Ji	(301) 427-9170
W/AR	Carven Scott, Acting	(907) 271-5131
W/CR	Chris Strager	(816) 268-3130
W/ER	Mickey Brown	(631) 244-0102
W/PR	Raymond Tanabe	(808) 725-6001
W/SR	Steven Cooper	(817) 978-1100 x104
W/WR	Grant Cooper	(801) 524-5122

Appendix C

**Diagram of FOIA Process**



\* Requestor may appeal