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FOIA SOP
Grant Proposals/Applications

15 May 2009

Steps for Processing FOIA Requests for Grant Proposals/Applications

This SOP covers the following:

- New Requests
- Disapproved Grant Proposals/Applications
- Approved Grant Proposals/Applications – Financial Arrangements Not Finalized
- Approved Grant Proposals/Applications – Financial Arrangements Finalized
- Proprietary Information Responses
- Releasable Information
- Protected Information

New Requests

After settling fee issues, the FOIA Access and Customer Outreach (FACO) Team tasks the search for records with the appropriate organization.

In the task memo, FACO requests the following information for each responsive grant proposal/application located:

- Was the proposal/application approved/accepted?
- If so, have financial arrangements been finalized?

If these questions are not answered when the case is in the queue assigned to a Document Reviewer (DR), the DR contacts the organization that provided the records to answer them.

Disapproved Grant Proposals/Applications

For personal privacy reasons, if a grant proposal/application is *not* approved/accepted, it is *fully exempt* from release pursuant to (b)(6) of the FOIA, per OGC 31 Oct 2003).

If a new request's search only locates *disapproved/unaccepted* proposals/applications, the FACO provides a final Full Denial response to the requester. The DR responds if the case is in the queue.

(b) (3) - P.L. 86-36

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Approved for Release by NSA on
04-21-2011, FOIA Case # 60859

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Approved Grant Proposals/Applications – Financial Arrangements *Not Finalized*

If a grant proposal/application has been approved/accepted, but the financial arrangements *have not* been finalized, we must send a **release notification letter** to:

- the sponsoring institution (the Senior Contract and Grant Officer); and
- the submitter (the Principal Investigator),

to see whether the financial information (the total dollar amount, proposed institutional budgets, or cost estimates) is considered proprietary.

A template called **FOIA_release_notification_grants.dot** exists for this notification.

If it is a new request, the FACO prepares and sends the release notification letter. If the case has been on a queue and is ready to be worked, the DR prepares and sends the letter.

We redact (b)(3) P.L. 86-36 and (b)(6) information prior to sending the notification letter (see below for protected information).

Approved Grant Proposals/Applications – Financial Arrangements *Finalized*

If a grant proposal/application has been approved/accepted and the financial arrangements *have* been finalized, we look to see if the proposal language addresses proprietary information.

If the grant proposal/application says “Proprietary: None,” we do not need to worry about proprietary information in the proposal language (i.e., the intellectual property, such as algorithms, formulas, language developments, research, etc.). No release notification letter is required.

If the grant proposal/application indicates that there *is* proprietary information in it, *or if it does not address the issue*, we must send a **release notification letter** to:

- the sponsoring institution (the Senior Contract and Grant Officer); and
- the submitter (the Principal Investigator).

Depending on the age of the grant proposals/applications located, the reviewer may need to go to the institution’s Internet web site and verify that the staff members are still at the institution.

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If it is a new request, the FACO prepares and sends the release notification letter. If the case is on a queue and is ready to be worked, the DR will prepare and send the letter. We redact (b)(3) P.L. 86-36 and (b)(6) information prior to sending the notification letter (see below for protected information).

Proprietary Information Responses

If the institution and/or submitter responds that there *is* proprietary information in the proposal/application, we review their justifications with OGC upon receiving the response.

If the institution and/or submitter *do not* identify proprietary information, we continue to process the proposals/applications.

Releasable Information

In approved grant proposals/applications, we release the following:

- the grant applicant's name,
- the investigators' names, and
- the endorsers' names, as they are not considered personal in an approved grant proposal/application.

The proposal may also contain qualification listings. In weighing the public interest in understanding someone's qualifications to obtain government money, we release:

- courses taught,
- presentations,
- invited lectures,
- other grants, and
- lists of publications.

We release the grant salaries in approved grant proposals/applications where the financial arrangements *have been finalized*.

Protected Information

In approved grant proposals/applications, we protect, pursuant to (b)(6) of the FOIA:

- home phone numbers,
- home addresses,
- SSNs,

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- institutional salary (not the grant salary, but their usual salary from the institution).

Many grant proposals/applications also contain a *curriculum vitae* or “CV” (a biographical sketch) of the applicant. Personal information in a CV would also be protected, such as:

- education,
- academic positions held,
- fellowships,
- professional societies,
- professional service, and
- marital status.

If other unique information appears in grant proposals/applications, please notify this SOP’s content owner so that it can be addressed.

As always, if classified or U//FOUO information appears in the grant proposal or application, it must be protected pursuant to current guidance.

Content Owner: DRAT/David

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