

## How soon will I receive a reply?

The time it takes to respond to each request varies, depending on the complexity of the request itself and the backlog of requests already pending at the bureau. In some circumstances the USGS will be able to respond to the request within the standard time limit established by the FOIA, which is 20 working days and in some situations a 10-day extension, or approximately 1 month. In other instances there might be a longer period of time needed before the request can be handled.

In certain situations, some FOIA requests may be processed on an expedited schedule. For more information please visit 43 CFR § 2.14.

## What requests are excluded and exempt?

The FOIA requires all agencies of the executive branch of the U.S. Government to disclose records upon receiving a written request for them, except for certain law enforcement records, which are excluded under FOIA subsections 7(c)(1), (c)(2), and (c)(3), and those records (or portions of them) that are protected from disclosure by the following nine exemptions:

- Classified national defense and foreign relations information
- Internal agency personnel rules and practices
- Information that is prohibited from disclosure by another Federal law
- Trade secrets and other confidential business information
- Privileged interagency/intraagency documents: deliberative process privilege, attorney work-product privilege, and attorney-client privilege
- Information that would constitute a clearly unwarranted invasion of personal privacy
- Records or information compiled for law enforcement purposes

- Information relating to regulation or supervision of financial institutions
- Geological and geophysical information on wells

## What can I do if I have not received a proper response?

If you believe that USGS has not handled your FOIA request properly, you have the right to challenge our response by filing an administrative appeal in accordance with 43 CFR 2.28 to the Department of the Interior FOIA Appeals Officer (<http://www.doi.gov/foia/contacts.html>).

## Who can file a request?

Any person, including U.S. citizens, foreign nationals, organizations, universities, businesses, and state and local governments, but not a Federal Agency or a fugitive of the law.

## What is an adequate search for records associated with a FOIA request?

The USGS must show a good faith effort by using methods that can be reasonably expected to produce the requested records.

## Where may I find more information?

**USGS FOIA Web site:** <http://www.usgs.gov/foia/>

### **USGS Publications:**

<http://pubs.usgs.gov> or <http://www.Data.gov/>

### **U.S. Department of the Interior, FOIA Handbook (383 DM 15):**

<http://www.doi.gov/foia/foiahandbook.html>

### **U.S. Department of Justice FOIA Web site:**

<http://www.justice.gov/open/foia.html>



*The U.S. Geological Survey (USGS) is a science organization in the Department of the Interior (DOI) that provides impartial information on the health of our ecosystems and environment, the natural hazards that threaten us, the natural resources we rely on, the impacts of climate and land-use change, and the core science systems that help us provide relevant, timely, and usable information.*



### What is the Freedom of Information Act?

The Freedom of Information Act (FOIA), 5 U.S.C. § 552, as amended, generally provides that any person has a right to request access to Federal agency records. FOIA also establishes a presumption that Federal agency records should be accessible, except to the extent the records are protected from disclosure by any of the nine exemptions or by one of three special law enforcement record exclusions. FOIA is intended to provide a citizen-centered and results-oriented approach to ensuring that the Federal Government is acting properly on behalf of the general public.

### Why is information disclosure so important to the USGS?

The primary currency of the USGS is information. The USGS proactively promotes information disclosure as inherent to its mission of providing objective science to inform decisionmakers and the general public. USGS scientists disseminate up-to-date and historical scientific data that are critical to addressing national and global priorities.

### What USGS documents are subject to FOIA?

Records subject to a FOIA request must be created or obtained by the USGS in the transaction of official business and under agency control at the time of the request. Such records include all books, papers, maps, charts, plats, plans, architectural drawings, photographs, microfilm, machine-readable materials such as magnetic tape and disks, electronic records (including e-mail messages), audiovisual material, sound and video recordings, and all other documentary materials regardless of physical form, format or characteristics.

### What fees might I have to pay?

The USGS may charge applicable fees in accordance with the FOIA statute and the DOI's fee schedule. The fee categories and the fee schedule are as follows:

- Commercial use requesters who will apply the information to further a commercial, trade, or profit interest;
- Educational and noncommercial scientific institutions (certain schools and institutions of higher learning or vocational education) that conduct a program of scholarly research;
- Representatives of the news media who are actively gathering information of interest to the public for an entity that is organized and operated to publish or broadcast news to the general public;
- All other requesters who do not fall within the other three categories.

The USGS will only charge to process requests when the applicable fees are greater than the \$30 threshold. If the estimated fees exceed \$250, the USGS may request prepayment prior to processing a request. For more information on processing fees, please visit 43 CFR 2.15 through 2.20 and for the current rates visit 43 CFR Part 2, Appendix C.

### What is a fee waiver and how do I submit one?

Under the FOIA, agencies may waive or reduce fees if the disclosure of the information is in the public interest because its release:

Is likely to contribute significantly to public understanding of the operations and activities of the Government and is not primarily in the commercial interest of the requester.

For more information on submitting a fee waiver, please visit: <http://www.doi.gov/foia/feewaiver.html>.

### How can I submit a FOIA request?

There is no central office in the Federal Government that processes FOIA requests for all Federal departments and agencies. Therefore, before sending a request to the USGS, you should determine whether the USGS is likely to have the records you are seeking by reviewing our bureau mission.

- Write a reasonable description of the records or information sought. (No verbal requests are accepted.) Be as specific as possible in regards to names, titles, dates, places, events, subjects, and recipients.
- Provide contact information including your name, address, telephone number, and e-mail address (if available).
- Specifically cite the Freedom of Information Act (FOIA).
- Indicate a willingness to pay fees up to a maximum amount or provide justification for a fee waiver.
- Sign and send the written request to:

**U.S. Geological Survey  
FOIA Officer (MS 807)  
12201 Sunrise Valley Drive  
Reston, VA 20192**

or e-mail your request to [foia@usgs.gov](mailto:foia@usgs.gov)  
or facsimile at (703) 648-6853.