



U.S. Department
of Transportation
**Federal Aviation
Administration**

Southwest Region
Arkansas, Louisiana,
New Mexico, Oklahoma,
Texas

Fort Worth, Texas 76137

CERTIFIED MAIL – RETURN RECEIPT REQUESTED

Electronic Frontier Foundation
454 Shotwell Street
San Francisco, CA 94110

10 September 2008

Dear: Ms. Hofmann,

Re: Freedom of Information Act (FOIA) request 08-6651

This responds to your November 28, 2007, Freedom of Information Act (FOIA) request, seeking copies of all memoranda of understanding, contracts or other agreements between DOT and Google or other technology companies from January 2006 to the present for the digitization or other copying of agency information to promote greater access of such data by the general public.

A records search was conducted in the acquisition office in Fort Worth, Texas in the following. Purchase order DTFASW-07-F-00039 with Xerox is a labor contract for the Xerox technician to operate the Xerox copiers in the print shop. Purchase order DTFASW-06-C-00068 with The Wicks Group, PLLC is a labor contract to help the FAA develop policies and procedures in regards to flight standards and manuals.

There is no fee for this request.

Sincerely,

Marcus L. Williams

Logistics Service Area Manager
Southwest Region

AWARD/CONTRACT				PAGE OF PAGES 1 2			
1. CONTRACT (Proc. Inst. Ident.) NO. DTFASW-06-C-00068			2. EFFECTIVE DATE 09/22/2006		3. REQUISITION/PURCHASE REQUEST/PROJECT NO. See Schedule		
4. ISSUED BY FEDERAL AVIATION ADMINISTRATION SOUTHWEST REGION HEADQUARTERS ACQUISITION MGMT. BRANCH, ASW-55 2601 MEACHAM BOULEVARD, 1ST FLOOR FORT WORTH TX 76137-4298		CODE ASW0055-ARC	5. ADMINISTERED BY (If other than Item 4) FEDERAL AVIATION ADMINISTRATION SOUTHWEST REGION HEADQUARTERS ACQUISITION MGMT. BRANCH, ASW-55 2601 MEACHAM BOULEVARD, 1ST FLOOR FORT WORTH TX 76137-4298		CODE ASW55-ARC		
6. NAME AND ADDRESS OF CONTRACTOR (No., Street, City, Country, State and ZIP Code) WICKS GROUP, PLLC, THE 1215 17TH STREET, NW SUMNER ANNEX, 5TH FLOOR WASHINGTON DC 20036			7. DELIVERY <input type="checkbox"/> FOB ORIGIN <input checked="" type="checkbox"/> OTHER (See below)				
			8. DISCOUNT FOR PROMPT PAYMENT PROMPT NET 30				
			9. SUBMIT INVOICES (4 copies unless otherwise specified) TO THE ADDRESS SHOWN IN: ITEM				
CODE 100339936		FACILITY CODE					
10. SHIP TO/MARK FOR 26974U6M 6974U6 DOT, FAA SW REGION HDQS. ATTN: ASW-210 2601 MEACHAM BLVD. FORT WORTH TX 761370000		CODE 26974U6M	11. PAYMENT WILL BE MADE BY FAA AC ACCTG OFC DOT/FAA AMZ-110 PO BOX 25710 OKLAHOMA CITY OK 73125				
12. AUTHORITY FOR USING OTHER THAN FULL AND OPEN COMPETITION:			13. ACCOUNTING AND APPROPRIATION DATA See Schedule				
14A. ITEM	14B. SUPPLIES/SERVICES		14C. QTY	14D. UNIT	14E. UNIT PRICE	14F. AMOUNT	
Continued...							
14G. TOTAL AMOUNT OF CONTRACT					\$335,765.12		
15. TABLE OF CONTENTS							
(X)	SEC.	DESCRIPTION	PAGE(S)	(X)	SEC.	DESCRIPTION	PAGE(S)
PART I - THE SCHEDULE				PART II - CONTRACT CLAUSES			
	A	SOLICITATION/CONTRACT FORM			I	CONTRACT CLAUSES	
	B	SUPPLIES OR SERVICES AND PRICE/COST		PART III - LIST OF DOCUMENTS, EXHIBITS AND OTHER ATTACH.			
	C	DESCRIPTION/SPECS./WORK STATEMENT			J	LIST OF ATTACHMENTS	
	D	PACKAGING AND MARKING		PART IV - REPRESENTATIONS AND INSTRUCTIONS			
	E	INSPECTION AND ACCEPTANCE			K	REPRESENTATIONS, CERTIFICATIONS AND OTHER STATEMENTS OF OFFERORS	
	F	DELIVERIES OR PERFORMANCE			L	INSTR., CONDS., AND NOTICES TO OFFERORS	
	G	CONTRACT ADMINISTRATION DATA			M	EVALUATION FACTORS FOR AWARD	
	H	SPECIAL CONTRACT REQUIREMENTS					
CONTRACTING OFFICER WILL COMPLETE ITEM 16 OR 17 AS APPLICABLE							
16. <input type="checkbox"/> CONTRACTOR'S NEGOTIATED AGREEMENT (Contractor is required to sign this document and return _____ copies to issuing office.) Contractor agrees to furnish and deliver all items or perform all the services set forth or otherwise identified above and on any continuation sheets for the consideration stated herein. The rights and obligations of the parties to this contract shall be subject to and governed by the following documents: (a) this award/contract, (b) the solicitation, if any, and (c) such provisions, representations, certifications, and specifications, as are attached or incorporated by reference herein. (Attachments are listed herein.)				17. <input checked="" type="checkbox"/> AWARD (Contractor is not required to sign this document.) Your offer on Solicitation Number DTFASW-06-R-00075 including the additions or changes made by you which additions or changes are set forth in full above, is hereby accepted as to the items listed above and on any continuation sheets. This award consummates the contract which consists of the following documents: (a) the Contract Authority's solicitation and your offer, and (b) this award/contract. No further contractual document is necessary.			
18A. NAME AND TITLE OF SIGNER (Type or print)				19A. NAME OF CONTRACTING OFFICER Leslie Cuevas			
18B. NAME OF CONTRACTOR		18C. DATE SIGNED		19B. CONTRACT AUTHORITY		19C. DATE SIGNED	
BY _____ (Signature of person authorized to sign)				BY _____ (Signature of the Contracting Officer)			

CONTINUATION SHEET

 REFERENCE NO. OF DOCUMENT BEING CONTINUED
 DTFASW-06-C-00068

PAGE 2 OF 2

 NAME OF OFFEROR OR CONTRACTOR
 WICKS GROUP, PLLC, THE

ITEM NO. (A)	SUPPLIES/SERVICES (B)	QUANTITY (C)	UNIT (D)	UNIT PRICE (E)	AMOUNT (F)
0001	Development and Revision of the Flight Standards Flight Operations Manual in accordance with the statement of work/specifications. FOB: Destination Period of Performance: 09/22/2006 to 09/21/2007 Admin support in developing policies and procedures. Obligated Amount: \$99,750.00 Electronic & IT: 03 Requisition No: SW-06-01606 Project Data: 12XXFAORGIMP.OR0600.WAB0200000.25215.09/12/2006.1260100000.420000 Accounting Info: 1260100000.2006.6021420000.WAB0200000.25215.61006600.0000000000.0000000000 .0000000000 acct1: 1260100000 acct2: 2006 acct3: 6021420000 acct4: WAB0200000 acct 5: 25215 acct6: 61006600 Funded: \$99,750.00				99,750.00
0002	Administrative support in developing policies and procedures Obligated Amount: \$224,750.00 Electronic & IT: 03 Requisition No: SW-06-01606 Project Data: 12XXFAORGIMP.OR0800.SWB0400000.25100.08/04/2006.1260100000.420000 Accounting Info: 1260100000.2006.6021420000.SWB0400000.25100.61006600.0000000000.0000000000 .0000000000 acct1: 1260100000 acct2: 2006 acct3: 6021420000 acct4: SWB0400000 acct 5: 25100 acct6: 61006600 Funded: \$224,750.00				224,750.00
0003	Travel to support the development of policies and procedures. Obligated Amount: \$11,265.12 Electronic & IT: 03 Requisition No: SW-06-01606 Project Data: 12XXFAORGIMP.OR0800.SWB0400000.25100.09/18/2006.1260100000.420000 Accounting Info: 1260100000.2006.6021420000.SWB0400000.25100.61006600.0000000000.0000000000 .0000000000 acct1: 1260100000 acct2: 2006 acct3: 6021420000 acct4: SWB0400000 acct 5: 25100 acct6: 61006600 Funded: \$11,265.12 The total amount of award: \$335,765.12. The obligation for this award is shown in box 14G.				11,265.12

ORDER FOR SUPPLIES OR SERVICES

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IMPORTANT: Mark all packages and papers with contract and/or order numbers

1. DATE OF ORDER 12/04/2006		2. CONTRACT NO. (If any) GS-25F-0062L		6. SHIP TO: a. NAME OF CONSIGNEE 2697M02M				
3. ORDER NO. DTFASW-07-F-00039		4. REQUISITION/REFERENCE NO. See Schedule						
5. ISSUING OFFICE (Address correspondence to) Federal Aviation Administration Southwest Region Headquarters Acquisition Mgmt. Branch, ASW-55 2601 Meacham Boulevard, 1st Floor Fort Worth TX 76137-4298				b. STREET ADDRESS 697M02 FEDERAL AVIATION ADMIN PROPERTY & SERVICES BRANCH ASW-54 2601 MEACHAM BLVD. FORT WORTH TX 761370000				
				c. CITY FORT WORTH	d. STATE TX	e. ZIP CODE 761370000		
7. TO: a. NAME OF CONTRACTOR XEROX CORP 3				f. SHIP VIA				
b. COMPANY NAME				8. TYPE OF ORDER				
c. STREET ADDRESS 8700 FREEPORT PKY				<input type="checkbox"/> a. PURCHASE <input checked="" type="checkbox"/> b. DELIVERY REFERENCE YOUR: Except for billing instructions on the reverse, this delivery order is subject to instructions contained on this side only of this form and is issued subject to the terms and conditions of the above-numbered contract. Please furnish the following on the terms and conditions specified on both sides of this order and on the attached sheets, if any, including delivery as indicated.				
d. CITY IRVING		e. STATE TX	f. ZIP CODE 75063					
9. ACCOUNTING AND APPROPRIATIONS DATA See Schedule				10. REQUISITIONING OFFICE ASW-54 PROPERTY & SERVICES BRANCH				
11. BUSINESS CLASSIFICATION (Check appropriate box(es))								
<input type="checkbox"/> a. SMALL <input checked="" type="checkbox"/> b. OTHER THAN SMALL <input type="checkbox"/> c. DISADVANTAGED <input type="checkbox"/> d. WOMEN-OWNED								
12. F.O.B. POINT Destination		14. BILL OF LADING NO.		15. DELIVER TO F.O.B. POINT ON OR BEFORE (Date) 12/01/2006		16. DISCOUNT TERMS PROMPT NET 30		
13. PLACE OF a. INSPECTION Destination		b. ACCEPTANCE Destination						
17. SCHEDULE (See reverse for Rejections)								
ITEM NO. (a)	SUPPLIES OR SERVICES (b)			QUANTITY ORDERED (c)	UNIT (d)	UNIT PRICE (e)	AMOUNT (f)	QUANTITY ACCEPTED (g)
	Contracting Officer-Leslie Cuevas-817-222-4341 Contract Specialist-Mike Page-817-222-4339 DUNS Number-153872-643 Note: The delivery order is for December 1, 2006 through June 30, 2007 seven (7) months at \$3,830.00 per month. The subsequent months will be funded by modification once funds become available Continued ...							
18. SHIPPING POINT		19. GROSS SHIPPING WEIGHT		20. INVOICE NO.				17(h). TOTAL (Cont. pages)
21. MAIL INVOICE TO:								
a. NAME		DOT/FAA AMZ-110						\$26,810.00
b. STREET ADDRESS (or P.O. Box)		PO BOX 25710 OKLAHOMA CITY OK 73125						
c. CITY		d. STATE	e. ZIP CODE					\$26,810.00
22. CONTRACTING AUTHORITY BY (Signature)				23. NAME (Typed) Leslie Cuevas TITLE: CONTRACTING/ORDERING OFFICER				

SEE BILLING
INSTRUCTIONS
ON REVERSE



ORDER FOR SUPPLIES OR SERVICES
SCHEDULE - CONTINUATION

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IMPORTANT: Mark all packages and papers with contract and/or order numbers.

DATE OF ORDER 12/04/2006	CONTRACT NO. GS-25F-0062L	ORDER NO. DTFASW-07-F-00039
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ITEM NO. (A)	SUPPLIES/SERVICES (B)	QUANTITY ORDERED (C)	UNIT (D)	UNIT PRICE (E)	AMOUNT (F)	QUANTITY ACCEPTED (G)
	<p>Funding of this order is subject to fiscal year 2007 appropriation limitations enacted by the United States Congress. The Government's obligation under this order is limited to the amount required to fund operations during the period covered by the current or subsequent continuing resolution(s). Such limitations shall continue until final fiscal year 2007 appropriations are enacted and allocated to the program(s) funding this order. In the event that a continuing resolution is not extended before a permanent appropriation is enacted, it may be necessary to cease performance under this order, unless it has been determined, and notification is given by a cognizant Contracting Officer, that all or part of these services are essential to the safety of human life or the protection of public property, in accordance with the emergency provisions of the Anti Deficiency Act (31 USC 1342). In the event that final appropriations will not cover the total obligation(s) under this order, a modification will be issued to reduce the obligation(s) to available funding.</p> <p>ATTENTION CONSIGNEE(S): THIS AWARD HAS BEEN MARKED FOR 3-WAY MATCHING. YOU MUST PERFORM ACCEPTANCE IN PRISM IN ORDER FOR THE VENDOR TO BE PAID.</p> <p>3.14-2 Contractor Personnel Suitability Requirements (July 2006)</p> <p>(a) This clause applies to the extent that this contract requires contractor employees, subcontractors, or consultants to have unescorted access to FAA:</p> <p>(1) Facilities;</p> <p>(2) Sensitive information; and/or</p> <p>(3) Resources regardless of the location where such access occurs, and none of the exceptions of FAA Order 1600.72A, Contractor and Industrial Security Program, Chapter 5, paragraphs 4, 6, 7 and 8 pertains.</p> <p>Definitions of applicable terminology are contained in the corresponding guidance and Order 1600.72A, appendix A.</p> <p>(b) Consistent with FAA Order 1600.72A, the FAA Servicing Security Element (SSE) has approved designated risk levels for the positions under the contract.</p> <p>(c) Not later than five (5) business days, not to exceed a maximum of 30 days, after contract award (or date of modification, if this provision is included by modification to an existing contract), for each employee in a listed position requiring access, provided, no previous background investigations can be supported as described below, the contractor will submit the following documentation to the SSE for an employment suitability determination:</p> <p>- Standard Form (SF) 85P, Questionnaire for Public Trust Positions as designated by</p> <p>Continued ...</p>					

TOTAL CARRIED FORWARD TO 1ST PAGE (ITEM 17(H))

**ORDER FOR SUPPLIES OR SERVICES
SCHEDULE - CONTINUATION**

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IMPORTANT: Mark all packages and papers with contract and/or order numbers.

DATE OF ORDER 12/04/2006	CONTRACT NO. GS-25F-0062L	ORDER NO. DTFASW-07-F-00039
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ITEM NO. (A)	SUPPLIES/SERVICES (B)	QUANTITY ORDERED (C)	UNIT (D)	UNIT PRICE (E)	AMOUNT (F)	QUANTITY ACCEPTED (G)
	<p>the Contractor Position Risk/Sensitivity Level Designation Record, FAA Form 1600-77, will be completed (all questions answered) in accordance with the instruction sheet.</p> <p>- One fingerprint card (FD-258). Fingerprints will be taken by those individuals who have been identified as either a Trusted Agent or a Personal Identity Verification (PIV) registrar (SSE).</p> <p>In some instances, the fingerprint only may be required and an OF-306 Declaration for Federal Employment, most current edition, will also be submitted.</p> <p>The applicant will appear in person and provide two forms of identity source documents in original form to the PIV Registrar (SSE) or the authorized Trusted Agent. The identity source documents must come from the list of acceptable documents included in Form I-9, OMB No. 1115-0136, Employment Eligibility Verification or version of the DOT F 1681 containing the list of acceptable identity verification documents. At least one document will be a valid State or Federal Government-issued picture Identification. A signed I-9 Form may be used but must indicate the two source documents that were verified.</p> <p>The type of investigation conducted will be determined by the position risk level designation for all duties, functions, and/or tasks performed and will serve as the basis for granting a favorable employment suitability authorization as described in FAA Order 1600.72A. If an employee has had a previous U. S. Government conducted background investigation which meets the requirements of Chapter 5 of FAA Order 1600.72A and Homeland Security Presidential Directive 12 (HSPD-12) it will be accepted by the FAA. However, the FAA reserves the right to conduct further investigations, if necessary. For each contractor employee for which a previous background investigation was completed, the contractor will provide, in writing to the SSE, the name, date of birth, place of birth, and social security number of the employee, the name of the investigating entity, type of background investigation conducted, and approximate date the previous background investigation was completed. For all contracts over six (6) months in duration, the minimum background investigation requirement will be a National Agency Check with Inquiries (NACI). Please check with your SSE for final determination as to OPM background investigation type required. The contract may include positions that are temporary, seasonal, or under escort only. In such cases, a FAA Form 1600-77 for each specific position will be established as the investigative requirements may differ from the NACI.</p> <p>The contractor must submit the required information with a transmittal letter referencing the contract number and this request to:</p> <p>Federal Aviation Administration Attn: Investigative & Internal Security Branch, ASW-700 Fort Worth, TX 76193-0710</p> <p>Continued ...</p>					

TOTAL CARRIED FORWARD TO 1ST PAGE (ITEM 17(H))

**ORDER FOR SUPPLIES OR SERVICES
SCHEDULE - CONTINUATION**

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IMPORTANT: Mark all packages and papers with contract and/or order numbers.

DATE OF ORDER 12/04/2006	CONTRACT NO. GS-25F-0062L	ORDER NO. DTFASW-07-F-00039
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ITEM NO. (A)	SUPPLIES/SERVICES (B)	QUANTITY ORDERED (C)	UNIT (D)	UNIT PRICE (E)	AMOUNT (F)	QUANTITY ACCEPTED (G)
	<p>The transmittal letter must also include a list of all of the names of contractor employees and their positions for which completed forms will be submitted to the SSE pursuant to this Clause. A copy of the transmittal letter must also be provided to the Contracting Officer/Contracting Officer's Technical Representative (COTR) minus any privacy act information.</p> <p>(d) The contractor must submit the information required by Section (c) of this Clause for any new employee not listed in the Contractor's initial submission who is hired into any position identified in Section (c) of this Clause.</p> <p>(e) The Contracting Officer will provide notice to the contractor when any contractor employee is found to be unsuitable or otherwise objectionable, or whose conduct appears contrary to the public interest, or inconsistent with the best interest of national security. The contractor must take appropriate action, including the removal of such employee from working on this FAA contract, at their own expense. The Contracting Officer will confirm to the SSE that the action has been taken.</p> <p>(f) No contractor employee will work in a high, moderate, or low risk position unless the SSE has received all forms necessary to conduct any required investigation and has authorized the contractor employee to begin work.</p> <p>(g) As applicable, the contractor must submit quarterly/bi-annual reports to the Contracting Officer with a copy to the SSE and the Operating Office on or before the fifth (5th) business day following each report period. This report must include a complete alphabetical listing of all current contractors who are currently supporting the contract and a separate listing of all terminated contractors.</p> <p>(h) The contractor must notify the CO within one (1) business day after any employee identified pursuant to Section (c) of this Clause is terminated from performance on the contract.</p> <p>(i) The Contracting Officer may also, after coordination with the SSE and other security specialists, require contractor employees to submit any other security information (including additional fingerprinting) deemed reasonably necessary to protect the interests of the FAA. In this event, the contractor must provide, or cause each of its employees to provide, such security information to the SSE, and the same transmittal letter requirements of Section (c) of this Clause applies.</p> <p>(j) The contractor and/or subcontractor(s) must immediately contact the Servicing Security Elements (Regional and/or Center Security Divisions) or AIN-400 at Headquarters in the event an employee is arrested (detained by law enforcement for any offenses, other than minor traffic offenses) or is involved in theft of government property or the contractor becomes aware of any information that may raise a question about the suitability of a contractor employee.</p> <p>Continued ...</p>					

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ORDER FOR SUPPLIES OR SERVICES
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IMPORTANT: Mark all packages and papers with contract and/or order numbers.

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ITEM NO. (A)	SUPPLIES/SERVICES (B)	QUANTITY ORDERED (C)	UNIT (D)	UNIT PRICE (E)	AMOUNT (F)	QUANTITY ACCEPTED (G)
	<p>(k) Failure to submit information required by this clause within the time required may be determined by the Contracting Officer a material breach of the contract.</p> <p>(l) If subsequent to the effective date of this contract, the security classification or security requirements under this contract are changed by the Government and if the changes cause an increase or decrease in direct contract costs or otherwise affect any other term or condition of this contract, the contract will be subject to an equitable adjustment.</p> <p>(m) The contractor agrees to insert terms that conform substantially to the language of this clause, including this paragraph (l) but excluding any reference to the Changes clause of this contract, in all subcontracts under this contract that involve access and where the exceptions under Chapter 5, FAA Order 1600.72A do not apply.</p> <p>(n) The Contracting Officer will ensure the SSE receives a list of all proposed contractor employees, the name of the contracting company, contract number, duty location, identification of the funding line of business, and the names of the contracting officers and COTR for each contract within five (5) business days of contract award. If the Contracting Officer provided the SSE a solicitation number during pre-award, the contracting officer will ensure the SSE is notified of the contract number.</p> <p>(o) Contractor employees who have not undergone a background investigation must be escorted at all times. In some instances, a contractor employee may be required to serve as an escort. In this situation, the contractor employee must have a completed and favorably adjudicated National Agency Check with Inquiries (NACI)..</p> <p>(End of clause)</p> <p>3.14-4 Government-Issued Keys, Personal Identity Verification (PIV) cards, and Vehicle Decals (July 2006)</p> <p>(a) It may become necessary for the Government to issue keys, PIV cards, vehicle decals, and/or access control cards to contractor employees. Prior to or upon completion or termination of the work required hereunder, the contractor must return all such Government-issued items to the issuing office with notification to the Contracting Officer's Technical Representative (COTR). When contractor employees who have been issued such items are terminated or no longer required to perform the work, the Government-issued items must be returned to the Government within three (3) business days or upon termination of the contract or the employee. Improper use, possession or alteration of FAA issued keys, PIV Cards and/or vehicle decals is subject to penalties under Title 18, USC 499, 506, and 701.</p> <p>(b) In the event such keys, PIV Cards, or vehicle decals are not returned, the contractor understands and agrees that the Government may, in addition to any other Continued ...</p>					

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**ORDER FOR SUPPLIES OR SERVICES
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DATE OF ORDER	CONTRACT NO.	ORDER NO.
12/04/2006	GS-25F-0062L	DTEASW-07-F-00039

ITEM NO. (A)	SUPPLIES/SERVICES (B)	QUANTITY ORDERED (C)	UNIT (D)	UNIT PRICE (E)	AMOUNT (F)	QUANTITY ACCEPTED (G)
	<p>withholding provision of the contract, withhold \$200.00 for each key PIV Card, and vehicle decal not returned. If the keys, PIV Cards, or vehicle decals are not returned within 30 calendar days from the date the withholding action was initiated, any amount so withheld must be forfeited by the contractor.</p> <p>(c) Access to aircraft ramp/hangar areas is authorized only to those persons displaying a flight line identification card and for vehicles, a current ramp permit issued pursuant to Title 49, Part 1542, Code of Federal Regulations.</p> <p>(d) The Government retains the right to inspect inventory, or audit PIV Cards, keys, vehicle decals, and access control cards issued to the contractor in connection with the contract at the convenience of the Government. Any items not accounted for, to the satisfaction of the Government will be assumed to be lost and the provisions of section (b) apply.</p> <p>(e) Keys must be obtained from the COTR who will require the contractor to sign a receipt for each key obtained. Lost keys, PIV Cards, vehicle decals, and access control cards must immediately be reported concurrently to the Contracting Officer (CO), COTR, and [CO to insert name of local security division or staff and facility management office]. Electronic keying cards are handled in the same manner as metal keys.</p> <p>(f) Each contract employee, during all times of on-site performance at the [CO to insert location] must prominently display his/her current and valid PIV card on the front portion of his/her body between the neck and waist. Each PIV card holder must not affix pins, stickers, or other decorations to the PIV.</p> <p>(1) Prior to any contractor employee obtaining a PIV Card or vehicle decals, the contract employee is required to report in person to the SSE Registrar or an FAA designated trusted agent for fingerprinting, photographing, and to submit their required investigation forms as described in AMS clause 3.14-2, Contractor Personnel Suitability Requirements. The investigative forms must be submitted to [ASW-55, LESLIE CUEVAS, 817-222-4341] by the contractor in a sealed envelope either hand carried by the contractor or sent via U.S. mail to: [FAA, ASW-55, ATTN: LESLIE CUEVAS, 2601 MEACHAM BLVD., FORT WORTH, TX 76137]. The SSE will review the forms and approve interim suitability prior to the contract employee beginning work. When an interim is granted by the SSE, the individual may begin work under escort until their OPM fingerprint check has been returned and successfully adjudicated at such time they can then be badge. If the contract employee requires a PIV Card, the fingerprint check must be completed and favorably adjudicated by the SSE prior to approval or issuance of the PIV card.</p> <p>(2) To obtain the PIV Card, contractor employee must submit an identification Card/Credential Application (DOT 1681) signed by the contractor employee and by the authorized trusted agent (when applicable) and also by the authorized sponsor to the CO or to the COTR. The DOT 1681 must contain, as a minimum, under the "Credential</p> <p>Continued ...</p>					

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**ORDER FOR SUPPLIES OR SERVICES
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IMPORTANT: Mark all packages and papers with contract and/or order numbers.

DATE OF ORDER 12/04/2006	CONTRACT NO. GS-25F-0062L	ORDER NO. DTFASW-07-F-00039
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ITEM NO. (A)	SUPPLIES/SERVICES (B)	QUANTITY ORDERED (C)	UNIT (D)	UNIT PRICE (E)	AMOUNT (F)	QUANTITY ACCEPTED (G)
	<p>Justification" heading, the name of the contractor/company, the contract number or the appropriate acquisition identification number, the expiration date of the contract or the task (whichever is sooner), and the required signatures. The contractor will be notified when the DOT 1681 has been approved and is ready for processing by the [CO to insert name and location of the person who will process the document]. Arrangements for processing the identification cards, including photographs and lamination can be made by the contacting [CONTACT: LESLIE CUEVAS/ASW-55, 817-222-4341).</p> <p>(3) The contractor must contact the SSE to obtain the procedures that the contractor's employees must utilize to obtain their PIV Card.</p> <p>(g) The contractor is responsible for ensuring final out-processing is accomplished for all departing contractor employees. Final out-processing must be accomplished by close of business the final workday of the contractor employee or the next day under special conditions. The SSE must be notified in writing and ensure that all FAA medial, including the PIV card are returned to the SSE.</p> <p>(End of clause)</p> <p>Admin Office: Federal Aviation Administration Southwest Region Headquarters Acquisition Mgmt. Branch, ASW-55 2601 Meacham Boulevard, 1st Floor Fort Worth TX 76137-4298</p> <p>Delivery Location Code: 2697M02M 2697M02M 697M02 FEDERAL AVIATION ADMIN PROPERTY & SERVICES BRANCH ASW-54 2601 MEACHAM BLVD. FORT WORTH TX 761370000 US</p> <p>Period of Performance: 12/01/2006 to 09/30/2007</p>					
0001	<p>Document management and printing services required IAW attached Statement of Work Electronic & IT: 03 Requisition No: SW-07-00156</p> <p>Project Data: 12XXFANOPROJ.000000.SWR3100000.24090.10/10/2006.1270100070.R20000</p> <p>Accounting Info: 1270100070.2007.707RR20000.SWR3100000.24090.61006600.0000000000.0000000000.0000 000000.0000000000 acct1: 1270100070 acct2: 2007 acct3: 707RR20000 acct4: SWR3100000 acct 5: 24090 acct6: 61006600 Continued ...</p>				26,810.00	

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ORDER FOR SUPPLIES OR SERVICES
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IMPORTANT: Mark all packages and papers with contract and/or order numbers.

DATE OF ORDER	CONTRACT NO.	ORDER NO.
12/04/2006	GS-25F-0062L	DTFASW-07-F-00039

ITEM NO. (A)	SUPPLIES/SERVICES (B)	QUANTITY ORDERED (C)	UNIT (D)	UNIT PRICE (E)	AMOUNT (F)	QUANTITY ACCEPTED (G)
	Funded: \$26,810.00 The total amount of award: \$26,810.00. The obligation for this award is shown in box 17(i).					

TOTAL CARRIED FORWARD TO 1ST PAGE (ITEM 17(H))

Request Detail Report

Request ID: 2008-006651SW

Org Code: SW050

Jul 29, 2008 1:14 PM

Requester: Hofmann, Marcia

Company: Electronic Frontier Foundation

Dates

Sent: 11/28/2007

Logged: 07/29/2008

Due: 08/26/2008

Perfect:

Assigned: 07/29/2008

Closed:

Web Payment ID: 316122

Old Foia Number: OST 08-46

Fee Category: Media

Received Via: Letter

Subject: all MOUs, contracts, or other agreements between DOT and any technology company from January 2006 to the present related to digitization or other copying of agency information to promote greater access by the public

Assignments

Request ID	Org	Date Logged	Status	Date Due	Ext. Date Due
2008-006651AL		07/29/2008	Unassigned		
2008-006651AC		07/29/2008	Unassigned		
2008-006651SW	SW050	07/29/2008	Search and review	08/26/2008	
2008-006651JO	JA001	07/29/2008	Search and review	08/26/2008	
2008-006651WP	WP050	07/29/2008	Search and review	08/26/2008	
2008-006651WA		07/29/2008	Assignment		
2008-006651WP		07/29/2008	Assignment		
2008-006651SW		07/29/2008	Assignment		
2008-006651JO		07/29/2008	Assignment		

Status History

Date Changed	Previous Status	Current Status	Name
07/29/2008		Search and review	Freeman, Sandra

Notes

Note Details	Note	Name
07/29/2008 WA RC040	Request received in ARC 7/28/08. OST provided list of contracts	Noonan, Joann



Electronic Frontier Foundation

FAA
REGIONAL AND CENTER
OFFICES

RECEIVED: 11/28/07
LINE: 12/27/07
FY 2008-046

2008 JUL 28 PM 9:11

November 28, 2007

BY FACSIMILE - (202) 366-8536

FOIA REQUEST

Kathy Ray
Office of the Secretary of Transportation
Department of Transportation
1200 New Jersey Ave., SE
W94-122
Washington, DC 20590

44L
ASW TO ATO, AMK CONTROL NO: 08-6651
AWP RESPONSE TO BE COORDINATED
AS APPROPRIATE, SIGNED AND
MAILED BY

Media
Fee waiver approved

RE: Freedom of Information Act Request

Dear Ms. Ray:

This letter constitutes a request under the Freedom of Information Act ("FOIA"), 5 U.S.C. § 552, and is submitted to the Department of Transportation ("DOT") on behalf of OpenTheGovernment.org ("OTG") and the Electronic Frontier Foundation ("EFF").

We request copies of all memoranda of understanding, contracts or other agreements between DOT and Google or other technology companies from January 2006 to the present for the digitization or other copying of agency information (including pre-existing "legacy" information and data holdings) to promote greater access of such data by the general public.

We believe that the requested records may be maintained by DOT's chief information officer.

Request for News Media Fee Status

OTG and EFF ask that they not be charged search or review fees for this request because each organization qualifies as a "representative of the news media" pursuant to the FOIA and 49 C.F.R. § 7.44(b).

OTG is a coalition of journalists, consumer and good government groups, environmentalists, library organizations, labor and others united to make the federal government a more open place in order to make us safer, strengthen public trust in government, and support our democratic principles. One of OTG's primary objectives is to "raise the visibility of a secrecy/openness message through work with the media, through our website, and through coordination with our partners, and with policy makers." To accomplish this goal, OTG routinely and systematically disseminates information through its website and regular policy and news updates. OTG engages in analysis and produces reports on developing and ongoing issues that are widely disseminated to the public.

EFF is a non-profit public interest organization that works "to protect and enhance our core civil liberties in the digital age."¹ One of EFF's primary objectives is "to educate the press, policymakers and the general public about online civil liberties."² To accomplish this goal, EFF routinely and systematically disseminates information through its heavily visited web site, online newsletter, blog, white papers, books, and podcasts. We note that the Department of Homeland Security, Department of State and National Security Agency have recognized that EFF qualifies as a "news media" requester, based upon the publication activities set forth below (see DHS stipulation, State Department letter, and NSA letter, attached hereto). We further note that the U.S. Court of Appeals for the D.C. Circuit has stressed that "different agencies [must not] adopt inconsistent interpretations of the FOIA." *Al-Fayed v. CIA*, 254 F.3d 300, 307 (D.C. Cir. 2001), quoting *Pub. Citizen Health Research Group v. FDA*, 704 F.2d 1280, 1287 (D.C. Cir. 1983).

Due to their extensive publication activities, OTG and EFF are "representative[s] of the news media" under the FOIA and agency regulations. As such, this request is subject only to duplication fees after the first 100 pages. However, all duplication fees should be waived, as discussed below, because disclosure of the information requested above is in the public interest.

Request for a Public Interest Fee Waiver

OpenTheGovernment.org and EFF are entitled to a waiver of duplication fees because disclosure of the requested information is in the public interest within the meaning of 5 U.S.C. § 552(a)(4)(a)(iii). To determine whether a request meets this standard, DOT considers whether "disclosure of the information is in the public interest because it is likely to contribute significantly to public understanding of the operations or activities of the government and is not primarily in the commercial interest of the requestor." 49 C.F.R. § 7.44(e). This request clearly satisfies these criteria.

First, negotiations or agreements for services between federal agencies and technology companies concern the operations or activities of the government. *Id.* § 7.44(f)(1). The federal government's collaboration with private sector companies to digitize and disseminate agency holdings unquestionably constitutes government activity.

Second, disclosure of the requested information is likely to contribute to public understanding of federal government operations or activities. *Id.* § 7.44(f)(2). OTG and EFF have requested information that will shed light on the details of the work that Google and similar companies will perform for federal agencies. This information will contribute not only to OTG and EFF's understanding of the relationship between these companies and federal agencies, but to the understanding of a reasonably broad audience of persons interested in the subject. *Id.* §

¹ Guidestar Basic Report, Electronic Frontier Foundation, <http://www.guidestar.org/pqShowGsReport.do?npId=561625> (last visited Nov. 27, 2007).

² *Id.*

Freedom of Information Act Request
November 28, 2007
Page 3

7.44(f)(3). OTG and EFF will make the information they obtain under the FOIA available to the public and the media through their web sites and newsletters, which highlight developments concerning privacy and civil liberties issues, and/or other channels discussed more fully above.

Finally, the disclosure will contribute *significantly* to the public's knowledge and understanding of the digitization agreements reached by technology companies and federal agencies. *Id.* § 7.44(f)(4). Disclosure of the requested information will not only inform the public about the terms of those agreements, but also the type and extent of the services performed for the agencies.

Furthermore, a fee waiver is appropriate here because OTG and EFF have no commercial interest in the disclosure of the requested records. *Id.* § 7.44(f)(5). Both entities are 501(c)(3) nonprofit organizations, and will derive no commercial benefit from the information at issue here.

Thank you for your consideration of this request. Should you have any questions concerning this request, please contact me at (415) 436-9333 x. 116. As the FOIA provides, we will anticipate your determination on this request within twenty (20) working days.

Sincerely,

A handwritten signature in black ink, appearing to read "Marcia Hofmann", with a stylized flourish at the end.

Marcia Hofmann
Staff Attorney
Electronic Frontier Foundation

Attachments

Contracting Agency ID	Referenced IDV PID	PID	Product or Service Code	Product or Service Description	Actions	Action Obligation
FAA AMC		DTFA0202X14170	T012	REPRODUCTION SERVICES	1	
FAA AMC	DTFA0202X14170	DTFA0202X14170CALL0006	T012	REPRODUCTION SERVICES	2	\$53,000
FAA AMC	DTFA0202X14170	DTFA0202X14170CALL0006	T012	REPRODUCTION SERVICES	1	\$67,000
FAA AMC	DTFAAC08D00004	DTFAAC08D00004	T013	TECHNICAL WRITING SERVICES	1	
FAA AMC	DTFAAC08D00004	DTFAAC08D00004CALL000	T013	TECHNICAL WRITING SERVICES	1	\$42,500
FAA AAL	DTFAAC08D00004	DTFAAC08D00004CALL000	T013	TECHNICAL WRITING SERVICES	1	\$33,750
FAA ASW		DTFAAL04C00034	T006	FILM/VIDEO TAPE PRODUCTION SERVICE	3	\$538,175
FAA ASW		DTFASW06C00068	T013	TECHNICAL WRITING SERVICES	1	\$335,765
FAA ASW	GS25F0062L	DTFASW06C00068	T013	TECHNICAL WRITING SERVICES	1	\$85,000
FAA ATO	GS10F0389P	DTFASW07F00039	T099	OTHER PHOTO MAPPING PRINTING SVC	1	\$26,810
FAA ATO	GS23F0204L	DTFAWA05F00052	T013	TECHNICAL WRITING SERVICES	1	\$39,769
FAA ATO	GS35F0618N	DTFAWA06F00090	T013	TECHNICAL WRITING SERVICES	4	\$122,117
FAA ATO	GS35F0618N	DTFAWA06F00103	T013	TECHNICAL WRITING SERVICES	1	\$1,016,565
FAA ATO		DTFAWA06F00103	T013	TECHNICAL WRITING SERVICES	1	\$1,054,580
FAA ATO		DTFAWA06P00252	T016	AUDIO/VISUAL SERVICES	1	\$556,190
FAA AWP		DTFAWA06P00252	T016	AUDIO/VISUAL SERVICES	1	\$109,300
FAA AWP		DTFAWP05P00612	T012	REPRODUCTION SERVICES	2	\$149,973
FAA AWP		DTFAWP07P00364	T012	REPRODUCTION SERVICES	1	\$130,127
FHWA	GS23F0097R	DTFH6104F00057	T001	ARTS/GRAPHICS SERVICES	2	\$49,170
FHWA	GS23F0160K	DTFH6106F00070	T001	ARTS/GRAPHICS SERVICES	1	\$87,556
FHWA		DTFH6106P00036	T012	REPRODUCTION SERVICES	1	\$10,810
FHWA		DTFH6106P00130	T016	AUDIO/VISUAL SERVICES	1	\$5,000
FHWA		DTFH6106P00146	T001	ARTS/GRAPHICS SERVICES	1	\$2,500
FHWA		DTFH6106P00150	T001	ARTS/GRAPHICS SERVICES	1	\$2,500
FHWA		DTFH6106P00152	T001	ARTS/GRAPHICS SERVICES	1	\$2,500
FHWA		DTFH6106P00155	T016	AUDIO/VISUAL SERVICES	1	\$5,000
FHWA	GS23F0115K	DTFH6107D00016	T013	TECHNICAL WRITING SERVICES	1	\$0
FHWA		DTFH6107F00069	T099	OTHER PHOTO MAPPING PRINTING SVC	2	\$288,163
FHWA		DTFH6107P00207	T099	OTHER PHOTO MAPPING PRINTING SVC	1	\$14,920
FHWA	DTFH6107D00016	DTFH6107T16001	T013	TECHNICAL WRITING SERVICES	2	\$304,000
FHWA	DTFH6107D00016	DTFH6107T16002	T013	TECHNICAL WRITING SERVICES	1	\$151,600
FHWA	DTFH6107D00016	DTFH6107T16003	T013	TECHNICAL WRITING SERVICES	1	\$50,000
FHWA	GS00F0002M	DTFH6806F00915	T002	CARTOGRAPHY SERVICES	1	\$30,000
FHWA		DTFH6806P00112	T002	CARTOGRAPHY SERVICES	1	\$93,086
FMCSA		DTMC7507P00094	T016	AUDIO/VISUAL SERVICES	1	\$4,453
FRA		DTFR5306P00443	T006	FILM/VIDEO TAPE PRODUCTION SERVICE	1	\$67,500
FRA		DTFR5307P00430	T006	FILM/VIDEO TAPE PRODUCTION SERVICE	1	\$13,125
FRA		DTFR5307P00456	T006	FILM/VIDEO TAPE PRODUCTION SERVICE	1	\$430
FRA		DTFR5307P00499	T016	AUDIO/VISUAL SERVICES	1	\$4,579
FRA		DTFR5308P00031	T011	PRINT/BINDING SERVICES	1	

JoAnn Noonan/AWA/FAA
ARC-040, Planning and FOIA
Staff

07/29/2008 11:55 AM

To Celeste Colbert-King/AWA/FAA@FAA,
9-AMC-FOIA-Request/AMC/FAA@FAA,
9-AAL-FOIA/AAL/FAA@FAA,

cc

bcc

Subject FOIA 08-6651, Marcia Hoffman

New request attached.

Request was referred from DOT and received today. Request was assigned to those specific offices that are responsible for the contracts listed on the attachment provided by DOT.

Thank you
Joann





U.S. Department
of Transportation

800 Independence Avenue, SW
Washington, DC 20591

Federal Aviation
Administration

July 29, 2008

Ms. Marcia Hofmann
Staff Attorney
Electronic Frontier Foundation
454 Shotwell Street
San Francisco, CA 94110

Freedom of Information Act (FOIA) Request 2008-6651

Dear Ms. Hofmann:

This is to acknowledge receipt today of a Department of Transportation referral of your November 28, 2007, FOIA request for a copy of all MOUs, contracts, or other agreements between the agency and any technology company for the period January 2006 to the present.

Your request has been assigned for action to the following Federal Aviation Administration offices:

Air Traffic Organization, ATO
800 Independence Avenue, SW
Washington, DC 20591

Contact: Celeste Colbert-King
FOIA Coordinator
Telephone: 202-267-9572

Mike Monroney Aeronautical Center, AMC-3
P.O. Box 25082
Oklahoma City, OK 73125

Contact: Brenda Bandy
FOIA Coordinator
Telephone: 405-954-5096

Alaskan Region, AAL-1
222 W 7th Avenue, Box 14
Anchorage, AK 99513

Contact: Sarah DeWitt
FOIA Coordinator
Telephone: 907-271-5645

Southwest Region, ASW-31
2601 Meacham Boulevard
Fort Worth, TX 76193-0041

Contact: Sandra Freeman
FOIA Coordinator
Telephone: 817-222-5440

Western-Pacific Region, AWP-4
P.O. Box 92007
Los Angeles, CA 90009-2007

Contact: Carlette Young
FOIA Coordinator
Telephone: 310-725-3809

If you wish to inquire as to the status of your request, please contact the assigned FOIA coordinator(s). Please refer to the above-referenced number on all future correspondence regarding this request.

Sincerely,

Joann Noonan
FOIA Specialist



**U.S. Department
of Transportation**

Office of the Secretary
of Transportation

GENERAL COUNSEL

400 Seventh St., S.W.
Washington, D.C. 20590

July 25, 2008

Marcia Hofmann
Staff Attorney
Electronic Frontier Foundation
454 Shotwell Street
San Francisco, CA 94110

Refer to: OST FOIA # FY 2008-046

Dear Ms. Hofmann:

This is in response to your Freedom of Information Act (FOIA) request dated November 28, 2007, on behalf of OpenTheGovernment.org and the Electronic Frontier Foundation. You requested "copies of all memoranda of understanding, contracts or other agreements between DOT and Google or other technology companies from January 2006 to the present for the digitization or other copying of agency information (including pre-existing "legacy" information and data holdings) to promote greater access of such data by the general public."

In a letter earlier this year, Ms. Wallace of the FOIA Division advised you that the Office of the Secretary of Transportation (OST) would be processing your request. As we began processing your request, we became aware that many other components within the Department would also have responsive records. Therefore, we are forwarding your request to all DOT components (see attached listing) for processing. Each component will respond directly to you (whether or not they find responsive records).

I apologize for the delay in processing your request. If you have any questions about this referral or the processing of the 3 OST contracts that Jeffrey Davis discussed with you, please call Mr. Davis at (202) 366-5531.

Sincerely,

Kathy Ray
Kathy Ray
FOIA Officer

Enclosure

REC'D
CHIEF OF BUREAU
2008 JUL 20 PM 9:11



FREEDOM OF INFORMATION ACT REQUEST CHECKLIST/FEE WORKSHEET

FOIA Requester:

FOIA Response Due Date:

FOIA Request Number:

FOIA Respondent(Person
preparing the 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.* Consult with legal counsel, if appropriate.
- ☐ **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 an 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* (Prepare when no part of a requested record is withheld)

- ☐ Prepare letter for program director or division manager signature, as appropriate*
- ☐ Include fee charges and collection information, if appropriate (Check/money order made payable to DOT/FAA). (If fees are less than \$10, indicate in the letter that there are no fees associated with the request because processing was less than \$10)

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

- ☐ Prepare letter for head of office, service, region, or center signature, as appropriate*
- ☐ Include name(s) & title(s) of person responsible for denial
- ☐ Cite applicable exemption and include brief statement explaining the exemption
- ☐ Specifically identify the type and amount of information that is being withheld for each exemption applied
- ☐ Include appeal rights paragraph
- ☐ Coordinate with all offices having an interest in the document
- ☐ Coordinate with FOIA legal staff*
- ☐ Include fee charges and collection information, if appropriate (Check/money order made payable to DOT/FAA). (If fees are less than \$10, indicate in the letter that there are no fees associated with the request because processing was less than \$10)

Decision Letter — "No Records"/Partial "No Records" Determination* (Prepare if no records are located for all or part of request)

- ☐ Prepare letter for head of office, service, region, or center signature, as appropriate*
- ☐ Include name(s) & title(s) of person responsible for determination
- ☐ State the type of search conducted, the location of files searched, and provide an explanation of why there are no records, if possible
- ☐ Include appeal rights paragraph
- ☐ Coordinate with all offices likely to have responsive documents
- ☐ Coordinate with FOIA legal staff (and ARC-40, if headquarters)*
- ☐ Include fee charges for search and collection information, if appropriate (Check/money order payable to DOT/FAA). (If fees are less than \$10, indicate in the letter that there are no fees associated with the request because processing was less than \$10)

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 the released and withheld documents
- ☐ 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)
- ☐ Headquarters FOIA coordinators shall forward a copy of all signed decision letters with a 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 \$21.00	PAY RANGE 2: FG-9 thru FG-14, or Pay Bands G thru J \$47.00	PAY RANGE 3: FG-15 and above, or Pay Bands K thru L \$77.00
--	---	---

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

	Searcher's Pay Range	Hours Searched	DOT Actual Dollar Rate	Total	Charged to Requester	Incremental Costs not charged to requester
1. Manual						
	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 & _____	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)*

Charged to Requester

TOTAL =

Incremental Costs

TOTAL =

Remarks:

FOIA Respondent Signature:

(Completion of FOIA Request, Checklist/Fee Worksheet)

Date

FOIA Coordinator Signature:

(Checklist/Fee Worksheet & Response Letter Review)

Date