

Frequently Asked Questions (FAQs)

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Q- Who may I contact if I have questions about submitting a FOIA Request?

A- Contact the FOIA Manager at the e-mail and phone number listed below. Contacting the FOIA Manager prior to submitting a request may help decrease the request processing time.

Hill Air Force Base FOIA Manager
Hill.FOIA.PrivacyAct@us.af.mil
or
75ABW/SCOK (FOIA)
FOIA Manager
6068 Aspen Ave., Bldg. 1294, Rm. 7
Hill AFB, UT 84056-5817
or
DSN 777-3296
(801) 777-3296

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Q- How do I submit a FOIA Request?

A- FOIA requests will be submitted to the Hill AFB FOIA office via e-mail, or written request at the contact point given in the information above, by on line using the Public Access Link located at <https://efoia.milcloud.mil/App/Home.aspx>. Requests must be written, but there is no official Air Force form that must be submitted. Government equipment, including e-mail, cannot be used to request information under the FOIA.

To expedite the search for FOIA results, requested records should be described in as much detail as possible. This will help the government agency to determine what specific records pertain to the request. It may expedite processing which should allow the requester to get the desired information faster. Requests must indicate how much the requestor is willing to pay to cover expenses incurred by the government to research and copy the requested FOIA information. All requests and envelopes should be marked "FOIA." If you are unsure of what information you would like to request, contact the FOIA Manager for guidance or refer to the Air Force FOIA Guide. The Air Force FOIA Handbook is located at <http://www.foia.af.mil/Library/Handbook/>.

It is very important to furnish any facts or information about the time, place, persons, events, subjects, or other details of the information for records being requested. For example, it is very difficult to respond to a FOIA for a contract document if the requestor does not provide the contract number. Also remember there are a lot of contracts with delivery order numbers in addition to a contract number, so it is important to be specific as to which particular order number(s) the requestor is requesting. Asking for all delivery orders could mean hundreds of orders. In many instances modifications create the same problem, so it is important to know particular modification numbers when seeking information on modifications. When questions arise please contact the base FOIA manager.

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Q- Do I have to pay for a FOIA request?

A- You may depending on your fee category. The fee categories are as follows:

- Commercial: Requesters pay all search, review, and duplication
- Educational/Non-Commercial Scientific Institution/New Media: Requesters pay duplication charges after the first 100 pages. These requesters do not pay search or review charges
- Others: Requesters pay all search fees after first 2 hours and all duplication charges after the first 100 pages. These requesters do no pay review charges.
- NOTE: For charges over \$250, advanced payment may be required.

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Q- Can I request fees be waived?

A- Fee waivers may be granted when disclosure of the records is in the public interest because it is likely to contribute significantly to public understanding of the operations or activities of the government. The following factors are weighed in making a fee waiver determination:

- The subject of the request.
- The informative value of the information to be disclosed.
- The contribution to an understanding of the subject by the general public likely to result from the disclosure
- The significance of the contribution to public understanding
- Disclosure of the information is not primarily in the commercial interest of the requester.
- The ability of the requester to disseminate the information.

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Q- Can I submit a FOIA request by e-mail?

A- Written requests may be submitted by e-mail to the base FOIA Manager at Hill.FOIA.PrivacyAct@us.af.mil. There is no official Air Force form that must be submitted with a request. Requests may be mailed, hand carried, faxed, or sent electronically. All requests and envelopes should be marked "FOIA". Government e-mail cannot be used to submit a FOIA request.

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Q- Is contract post award information available on the internet?

A- If a requestor is making a FOIA request to find information on total award amount; this information may be available on the FedBizOpps website at www.fbo.gov. Awards that are made for over \$25,000 generally all have a "Post Award Synopsis" posted on the FBO website. The "Post Award Synopsis" details the contractor that the effort was awarded too, and the total dollar amount of the contract award. The "Post Award Synopsis" is public information and can be found by searching by solicitation number

under the Business Opportunities link on www.fbo.gov. If a potential requestor cannot find this information on the FBO website, they may contact the buyer for assistance.

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Q- Once I submit a FOIA request, how long will it take for a response?

A- Once a perfected FOIA request is received, the agency has 20 working days to make a determination on the request. If special situations exist, the agency will contact you with an estimated completion date and explain the reason for delay. FOIA request are worked on a first-in, first-out basis.

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Q- Can I request expedited processing?

A- Yes you may request expedited processing; however, you must demonstrate one of the following compelling needs:

- Failure to obtain the records on an expedited basis could reasonably be expected to pose an imminent threat to the life or physical safety of an individual.
- Information is urgently needed by an individual primarily engaged in disseminating information in order to inform the public concerning actual or alleged federal government activity.
- Failure to obtain the records on an expedited basis could reasonably be expected to result in an imminent loss of substantial due process rights.

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Q- Can I ask questions under the FOIA?

A- Federal Agencies are not required to answer questions, render opinions, or provide subjective evaluations in response to a FOIA request. Requesters must ask for existing records.

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Q- Can I ask for unit prices or line item pricing?

A- Each FOIA request is looked at on a case by case basis. In many instances the government cannot release unit prices to avoid causing competitive harm to a submitter's position. More information can be obtained as to why it is not common practice for the government to release unit prices at <https://www.justice.gov/oip/blog/foia-post-2002-ntis-available-means-record-disclosure>.

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Q- How do I ask for the Purchase History of an item? What information will be provided?

A- The government may provide the names of contractors that have received past contracts, dates of award, line item quantities, delivery information, and in some cases total contract award amount.

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Q- Do you have a sample FOIA Request?

A- There is no standard form to submit when requesting a FOIA. The only requirement is that they be submitted in writing and accurately described the record(s) being requested. A perfected request will include: A clear and concise description of the records sought, a willingness to pay fees, and a mailing address (if request is electronic). You may also state your willingness to accept clearly releasable.

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Q- What information will be redacted?

A- All information will be disclosed unless that disclosure harms an interest protected by a FOIA exemption. The nine FOIA exemptions are cited in the Act as 5 U.S.C. §552

(b)(1) through (b)(9):

- (b)(1)--records currently and properly classified in the interest of national security;
- (b)(2)--records related solely to the internal personnel rules and practices of the DoD or any of the DoD Components.
- (b)(3)--records protected by another law that specifically exempts the information from public release;
- (b)(4)--trade secrets and commercial or financial information obtained from a private source which would cause substantial competitive harm to the source if disclosed;
- (b)(5)--internal records that are deliberative in nature and are part of the decision making process that contain opinions and recommendations;
- (b)(6)--records which if released, would result in a clearly unwarranted invasion of personal privacy;
- (b)(7)--investigatory records or information compiled for law enforcement purposes;
- (b)(8)--records for the use of any agency responsible for the regulation or supervision of financial institutions; and
- (b)(9)--records containing geological and geophysical information (including maps) concerning wells.

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Q- What is a clearly releasable request?

A- A clearly releasable request is your willingness to accept as a full release all responsive documents save any redacted information that meet one of the nine exemptions. The documents received are the same regardless of your willingness to receive clearly releasable or not. Clearly releasable request will not have the following:

- You will not get an official denial letter from the Initial Denial Authority (Thus, taking less time)
- Responsive records will be redacted of all personal information (b)(6)

- For contracts, responsive records will be redacted of all data that the submitter (contractor) reasonably wants redacted (b)(4)
- Responsive record redactions will have no FOIA Exemption code for any information exempt from release (b)(1) through (b)(9)
- The responsive letter will inform you the basis for the denial of information (For example, if redacting personal information the letter may state “information of individuals is redacted to protect personal information that, if released, would constitute a clearly unwarranted invasion of personal privacy.”)
- You may appeal or submit a new request for ALL the records not agreeing to CLEARLY RELEASABLE responsive records. Normally, this speeds the process up substantially.

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Q- Where else may I find more information on FOIA?

A- More information may be found at the following links:

- <http://www.foia.af.mil/>
- <http://open.defense.gov/Transparency/FOIA/FOIA-Handbook/>

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