that your request does not reasonably
describe records, you will be advised
what additional information is needed
to perfect your request or why your re-
quest is otherwise insufficient.
(e) Agreement to pay fees. Your re-
quest must state that you will prompt-
ly pay the total fees chargeable under
this regulation or set a maximum
amount you are willing to pay. NSF
does not charge if fees total less than
$25.00. If you seek a waiver of fees,
please see §612.10(k) for a discussion of
the factors you must address. If you
place an inadequate limit on the
amount you will pay, or have failed to
make payments for previous requests,
NSF may require advance payment (see
§612.10(i)).
(f) Receipt date. A request that meets
the requirements of this section will be
considered received on the date it is re-
ceived by the Office of the General
Counsel or the Office of the Inspector
General. In determining which records
are responsive to a FOIA request, the
Foundation will include only records in
its possession as of the date the search
begins.
(g) Publications excluded. For the pur-
pose of public requests for records the
term “record” does not include publi-
cations which are available to the pub-
lic in the FEDERAL REGISTER, or by sale
or free distribution. NSF publications
are available in print. To request one
or more print publications (http://
www.nsf.gov/publications/obtain.jsp), you
may:
(1) Fill out web-based order form.
orderpub.jsp
(2) Contact NSF Publications at (703)
292–PUBS (7827).
(3) Send a letter with the publication
number(s) clearly stated to: NSF Publi-
cations, National Science Foundation,
4201 Wilson Boulevard, Suite P–60, Ar-
lington, VA 22230.
§ 612.4 Responding to requests.
(a) Monitoring of requests. The NSF
Office of the General Counsel (OGC), or
such other office as may be designated
by the Director, will serve as the cen-
tral office for administering these reg-
ulations. For records maintained by the
Office of Inspector General, that Office will control incoming requests
made directly or referred to it, dis-
patch response letters, and maintain
administrative records. For all other
records maintained by NSF, OGC (or
such other office as may be designated
by the Director) will control incoming
requests, assign them to appropriate
action offices, monitor compliance,
consult with action offices on disclo-
sure, approve necessary extensions, dis-
patch denial and other letters, and
maintain administrative records.
(b) Consultations and referrals. When
the Foundation receives a request for a
record in its possession that originated
with another agency or in which an-
other agency has a substantial inter-
est, it may decide that the other agen-
cy of the Federal Government is better
able to determine whether the record
should or should not be released under
the FOIA.
(1) If the Foundation determines that
it is the agency best able to process the
record in response to the request, then
it will do so, after consultation with
the other interested agencies where ap-
propriate.
(2) If it determines that it is not the
agency best able to process the record,
then it will refer the request regarding
that record (or portion of the record) to
the agency that originated or has a
substantial interest in the record in
question (but only if that agency is
subject to the FOIA). Ordinarily, the
agency that originated a record will be
presumed to be best able to determine
whether to disclose it.
(c) Notice of referral. Whenever the
Foundation refers all or any part of the
responsibility for responding to a re-
quest to another agency, it ordinarily
will notify the requester of the referral
and inform the requester of the name
of each agency to which the request
has been referred and of the part of the
request that has been referred, unless
such notification would disclose infor-
mation otherwise exempt.
§ 612.5 Timing of responses to re-
quests.
(a) In general. NSF ordinarily will
initiate processing of requests accord-
ing to their order of receipt.
(b) Time for response. The Foundation
will make reasonable effort to act on a