

THE NATIONAL SCIENCE FOUNDATION

2026 CHIEF FOIA OFFICER REPORT

Chief FOIA Officer: Angel R. Williams, General Counsel, Office of the General Counsel

Section I: FOIA Leadership and Applying the Presumption of Openness

The guiding principle underlying the Attorney General’s 2022 FOIA Guidelines is the presumption of openness. The Guidelines also highlight the importance of agency leadership in ensuring effective FOIA administration. Please answer the following questions about FOIA leadership at your agency and describe the steps your agency has taken to ensure that the presumption of openness is being applied to all decisions involving the FOIA.

A. Leadership Support for FOIA

1. The FOIA requires each agency to designate a Chief FOIA Officer who is at least at the Assistant Secretary or equivalent level. *See* 5 U.S.C. § (j)(1) (2018). Is your agency’s Chief FOIA Officer at or above this level?

Yes. NSF has designated the NSF General Counsel as the Chief FOIA Officer.

2. Please provide the name and title of your agency’s Chief FOIA Officer.

Angel R. Williams, General Counsel.

3. What steps has your agency taken to incorporate FOIA into its core mission? For example, has your agency incorporated FOIA milestones into its strategic plan?

NSF’s FOIA program represents a key element of NSF’s business processes for achieving openness and transparency. See NSF 2022-2026 Strategic Plan, Objective 4.1, available at <https://www.nsf.gov/pubs/2022/nsf22068/nsf22068.pdf> (“Built on a commitment to openness and transparency, NSF will follow a strategy of continuous improvement in business processes . . .”). As part of the FOIA program’s continued effort to improve its processes, the Chief FOIA Officer has advocated for more resources to support the program, resulting in the addition of contractor support for FOIA processing, and the development of a FOIA case management support tool.

B. Presumption of Openness

4. DOJ’s 2022 FOIA Guidelines provides that “agencies should confirm in response letters to FOIA requesters that they have considered the foreseeable harm standard when reviewing records and applying FOIA exemptions.” Does your agency provide such confirmation in its response letters?

Yes.

5. In some circumstances, agencies may respond to a requester that it can neither confirm nor deny the existence of requested records if acknowledging the existence of records would harm an interest protected by a FOIA exemption. This is commonly referred to as a Glomar response. If your agency tracks Glomar responses, please provide:

a. the number of times your agency issued a full or partial Glomar response during Fiscal Year (FY) 2025 (separate full and partial if possible);

Zero

b. the number of times a Glomar response was issued by exemption during FY 2025 (e.g., Exemption 7(C) – 20 times, Exemption 1 – 5 times).

Zero

6. Optional—If there are any other initiatives undertaken by your agency to ensure that the presumption of openness is being applied, please describe them here.

N/A

Section II: Ensuring Fair and Effective FOIA Administration

DOJ’s 2022 FOIA Guidelines provide that “[e]nsuring fair and effective FOIA administration requires...proper training, and a full understanding of FOIA obligations by the entire agency workforce.” The Guidelines reinforce longstanding guidance to “work with FOIA requesters in a spirit of cooperation.” DOJ also “urge[s] agency Chief FOIA Officers to undertake comprehensive review of all aspects of their agency’s FOIA administration” as part of ensuring fair and effective FOIA administration.

A. FOIA Training.

1. The FOIA directs agency Chief FOIA Officers to ensure that FOIA training is offered to agency personnel. *See* 5 U.S.C. § 552(a)(j)(2)(F). Please describe the efforts your agency has undertaken to ensure proper FOIA training is made available and used by agency personnel.

The FOIA Officer and Government Information Specialists provided several FOIA awareness trainings and regular training for FOIA staff from the DOJ Guide to the FOIA. The NSF FOIA Attorneys, FOIA Officer, and Government Information Specialists provide guidance and advice regarding FOIA obligations on an ad-hoc basis at the request of Directorates and individuals within NSF.

2. Did your FOIA professionals or the personnel at your agency who have FOIA responsibilities attend substantive FOIA training during the reporting period such as that provided by the Department of Justice?

Yes.

3. If yes, please provide a brief description of the type of training attended and the topics covered.

During this reporting period, NSF FOIA staff participated in virtual DOJ FOIA training sessions, including: FOIA Training for Executives, Administrative Appeals, Processing a Request from Start to Finish, Procedural Requirements, Fee and Fee Waivers, Privacy Considerations, Continuing FOIA Education.

4. Please provide an estimate of the percentage of your FOIA professionals and staff with FOIA responsibilities who attended substantive FOIA training during this reporting period.

100%

5. OIP has directed agencies to “take steps to ensure that all of their FOIA professionals attend substantive FOIA training at least once throughout the year.” If your response to the previous question is that less than 80% of your FOIA professionals attended training, please explain your agency’s plan to ensure that all FOIA professionals receive or attend substantive FOIA training during the next reporting year.

N/A

6. Describe any efforts your agency has undertaken to inform non-FOIA professionals of their obligations under the FOIA. In particular, please describe how often and in what formats your agency provides FOIA training or briefings to non-FOIA staff, and if senior leaders at your agency received a briefing on your agency’s FOIA resources, obligations and expectations during the FOIA process.

As also described above (see Section II.A.1), The FOIA Officer and Government Information Specialists provided several FOIA awareness trainings. The NSF FOIA Attorneys, FOIA Officer, and Government Information Specialists provide guidance and advice regarding FOIA obligations on an ad-hoc basis at the request of Directorates and individuals within NSF.

B. Outreach

7. As part of the standard request process, do your FOIA professionals proactively contact requesters concerning complex or voluminous requests in an effort to clarify or narrow the scope of the request so requesters can receive responses more quickly? Please describe any such outreach or dialogue and, if applicable, any specific examples.

Yes. Consistent with DOJ guidance and training, FOIA professionals at NSF proactively contact requesters on almost a daily basis concerning complex or voluminous requests to clarify or narrow the scope of requests so that requesters can receive responses more quickly. For example, in a request concerning damages to the Arecibo Observatory, NSF FOIA professionals engaged in dialogue with the requester and were able to identify the two specific items that the requester was interested in.

8. Outside of the standard request process or routine FOIA Liaison or FOIA Requester Service Center interactions, did your FOIA professionals engage in any outreach or dialogue with the requester community or open government groups regarding your administration of the FOIA? For example, did you proactively contact frequent requesters, host FOIA-related conference calls with open government groups, or provide FOIA training to members of the public? Please describe any such outreach or dialogue and, if applicable, any specific examples of how this dialogue has led to improvements in your agency's FOIA administration.

No.

9. The FOIA Improvement Act of 2016 requires additional notification to requesters about the services provided by the agency's FOIA Public Liaison. Please provide an estimate of the number of times requesters sought assistance from your agency's FOIA Public Liaison during Fiscal Year 2025 (please provide a total number or an estimate of the number for the agency overall).

Approximately 2 times.

C. Other Initiatives

10. Has your agency evaluated the allocation of agency personnel resources needed to respond to current and anticipated FOIA demands? If so, please describe what changes your agency has or will implement.

Yes. NSF hired a contractor for FOIA intake duties and acquired a full-time employee as an additional FOIA processor.

11. How does your agency use data or processing metrics to ensure efficient management of your FOIA workload? For example, case management reports, staff processing statistics, etc. In addition, please specifically highlight any data analysis methods or technologies used.

NSF uses the FOIA case management support tool FOIAXpress to process metrics to aid in efficient management of the FOIA workload.

12. Optional -- If there are any other initiatives undertaken by your agency to ensure fair and effective FOIA administration, please describe them here.

N/A

Section III: Proactive Disclosures

DOJ's 2022 FOIA Guidelines emphasize that “proactive disclosure of information is . . . fundamental to the faithful application of the FOIA.” The Guidelines direct agencies to post “records online quickly and systematically in advance of any public request” and reiterate that agencies should post records “in the most useful, searchable, and open formats possible.”

1. Please describe what steps your agency takes to identify, track and post (a)(2) proactive disclosures.

The NSF e-Gov Content Inventory, https://www.nsf.gov/policies/egov_inventory.jsp, describes NSF’s commitment to providing useful information to the public. This policy also provides information about the four-priority approach NSF uses to provide information content along with a table describing the different types of information that are made available under each of the priorities. Additionally, NSF continually updates its public database of awards with abstracts of awarded proposals, resulting publications, and final reports on research results: <http://www.nsf.gov/awardsearch/>, NSF publicizes agency data sets on the agency’s Digital Strategy <https://www.nsf.gov/digital/strategy/>, Open Government <https://www.nsf.gov/digital/>, Open Data <http://www.nsf.gov/digital/data/> and Developer <http://www.nsf.gov/digital/developer/> web pages, as well as through the agency’s social media sites. Data from the National Center for Science and Engineering Statistics can be found here: <https://nces.nsf.gov/explore-data/>. This data is refreshed and updated on an ongoing basis. Information about public access to the results of NSF funded research can be found here: <https://www.nsf.gov/public-access/>. In addition, NSF makes its Proposal and Award Policies and Procedures Guide available here: <https://www.nsf.gov/policies/pappg/24-1/>. NSF also posts frequently requested materials on the NSF FOIA webpage here: <https://www.nsf.gov/policies/foia#foia-electronic-reading-room-c0e>

2. Does your agency post logs of its FOIA requests?

Yes.

- If so, what information is contained in the logs?
 - *These logs include FY FOIA tracking number, Received Date, Requester Category, and Request Description*
- Are they posted in CSV format? If not, what format are they posted in?
 - *They are not posted in CSV format, but in XLXS format, and some are additionally posted in PDF format.*
- Please provide a link to the page where any FOIA logs are posted. If applicable, please provide the component links.
 - *See <https://www.nsf.gov/policies/foia#foia-electronic-reading-room-c0e>*

3. Provide examples of any material (with links) that your agency has proactively disclosed during the past reporting year, including records that have been requested and released three or more times in accordance with 5 U.S.C. § 552(a)(2)(D).

As examples, NSF proactively disclosed updated purchase card holder information as well as information about an incident at Mount Newall, Antarctica.

<https://www.nsf.gov/policies/foia#foia-electronic-reading-room-c0e>

4. Please provide a link (or component links, if applicable) where your agency routinely posts its frequently requested records.

<https://www.nsf.gov/policies/foia#foia-electronic-reading-room-c0e>.

5. Beyond posting new material, is your agency taking steps to make the posted information more useful to the public, especially to the community of individuals who regularly access your agency's website? If yes, please provide examples of such improvements, such as steps taken to post information in open and machine-readable formats. If your agency is not taking steps to make posted information more useful, please explain why.

Yes. NSF continues to provide information useful to the public in "NSF by the Numbers" (NBTN), its portfolio dashboard, which is accessible through NSF's web site, at <https://www.nsf.gov/about/about-nsf-by-the-numbers>. NBTN provides and displays NSF award, proposal, and budget data in searchable, easy-to-digest format. To make this database more useful to the public, views in the various data dashboards are interactive, and information can be sorted using global filters, by geographic area, NSF Directorate, type of academic institution, etc.

6. Does your proactive disclosure process or system involve a collaboration with agency staff outside the FOIA office, such as IT or data personnel? If so, describe this interaction.

Yes. The NSF Office of Legislative and Public Affairs coordinates most of the information that appears on NSF's website. In addition, components of NSF, including but not limited to, the NSF Chief Information Officer (CIO), Chief Data Officer (CDO), National Center for Science and Engineering Statistics (NCSES), and the National Science Board (NSB), all routinely produce reports, statistics, and other data of interest to the public.

7. Optional—Please describe the best practices used to improve proactive disclosure and any challenges your agency faces in this area.

N/A

Section IV: Steps Taken to Greater Utilize Technology

A key component of FOIA administration is using technology to make information available to the public and to gain efficiency in FOIA processing. DOJ's 2022 FOIA Guidelines emphasize the importance of making FOIA websites easily navigable and complying with the FOIA.gov interoperability requirements. Please answer the following questions to describe how your agency is using technology to improve its FOIA administration and the public's access to information.

1. Has your agency reviewed its FOIA-related technological capabilities to identify resources needed to respond to current and anticipated FOIA demands?

Yes. The NSF FOIA program reviewed its technological needs and as a result is using a FOIA case management tool to support the FOIA program.

2. Please briefly describe any new types of technology your agency uses to support your FOIA program.

NSF is now using the FOIA case management tool FOIAXpress to process requests.

3. Does your agency currently use any technology to automate request intake, customer service, or record processing? For example, does your agency use artificial intelligence or other tools to conduct searches or make redactions? If so, please describe and, if possible, estimate how much time and financial resources are saved since implementing the technology.

Not currently.

4. OIP issued guidance in 2017 encouraging agencies to regularly review their FOIA websites to ensure that they contain essential resources and are informative and user-friendly. Has your agency reviewed its FOIA website(s) during the reporting period to ensure it addresses the elements noted in the guidance?

Yes.

5. Did all four of your agency's quarterly reports for Fiscal Year 2025 appear on FOIA.gov?

No, but all four quarterly reports are posted on the NSF FOIA webpage here: <https://www.nsf.gov/policies/foia#foia-reports-f59>.

6. If your agency did not successfully post all quarterly reports on FOIA.gov, please explain why and provide your agency's plan for ensuring that such reporting is successful in Fiscal Year 2026.

NSF intends to continue exercising the option provided by DOJ OIP to post quarterly reports on the agency's public website.

7. The FOIA Improvement Act of 2016 requires all agencies to post the raw statistical data used to compile their Annual FOIA Reports. Please provide the link to this posting for your agency's Fiscal Year 2024 Annual FOIA Report and, if available, for your agency's Fiscal Year 2025 Annual FOIA Report.

The FY24 Annual FOIA Report is available at this link:

<https://www.nsf.gov/policies/foia#foia-reports-f59>

8. In February 2019, DOJ and OMB issued joint Guidance establishing interoperability standards to receive requests from the National FOIA Portal on FOIA.gov. Are all components of your agency in compliance with the guidance?

Yes.

9. Optional—Please describe the best practices used in greater utilizing technology and any challenges your agency faces in this area.

N/A

Section V: Steps Taken to Remove Barriers to Access, Improve Timeliness in Responding to Requests, and Reduce Backlogs

DOJ's 2022 FOIA Guidelines instruct agencies "to remove barriers to requesting and accessing government records and to reduce FOIA processing backlogs." Please answer the following questions to describe how your agency is removing barriers to access, improving timeliness in responding to requests, and reducing FOIA backlogs.

A. Remove Barriers to Access

1. Has your agency established alternative means of access for any categories of first-party requested records, outside of the typical FOIA or Privacy Act process?

Yes, in some cases. See response to V.A.2 below.

2. If yes, please provide examples. If no, please indicate why not. Please also indicate if you do not know.

For example, certain NSF databases may be accessed online (e.g., via research.gov) so that principal investigators (i.e., researchers) who submit research proposals, peer reviewers who review such proposals for funding by NSF, and others (e.g., researchers nominating their colleagues for awards) may register, login, and then securely access (and/or update) certain agency records relating to their participation in these agency activities, without the need to file a formal first-party FOIA/Privacy Act request.

3. Please describe any other steps your agency has taken to remove barriers to accessing government information.

See Sections III.1 through III.4 above.

B. Timeliness

4. For Fiscal Year 2025, what was the average number of days your agency reported for adjudicating requests for expedited processing? Please see Section VIII.A. of your agency's Fiscal Year 2025 Annual FOIA Report.

As reported in NSF's Fiscal Year 2025 Annual FOIA Report, the average number of days for adjudicating requests for expedited processing was 40.

5. If your agency's average number of days to adjudicate requests for expedited processing was more than ten calendar days, according to Section VIII.A. of your agency's Fiscal Year 2025 Annual FOIA Report, please describe the steps your agency will take to ensure that requests for expedited processing are adjudicated within ten calendar days or less.

NSF will be making internal adjustments to allow for faster determinations within 5 days of logging in the request.

6. Does your agency utilize a separate track for simple requests?

Yes.

7. If your agency uses a separate track for simple requests, according to Annual FOIA Report section VII.A, was the agency overall average number of days to process simple requests twenty working days or fewer in Fiscal Year 2025?

No, the average number of days to process simple requests was 236 days.

8. If not, did the simple track average processing time decrease compared to the previous Fiscal Year?

Yes.

9. Please provide the percentage of requests processed by your agency in Fiscal Year 2025 that were placed in your simple track. Please use the following calculation based on the data from your Annual FOIA Report: (processed simple requests from Section VII.C.1) divided by (requests processed from Section V.A.) x 100.

32%

10. If your agency does not track simple requests separately, was the average number of days to process all non-expedited requests twenty working days or fewer?

N/A

C. Backlogs

Backlogged Requests

11. If your agency had a backlog of requests at the close of Fiscal Year 2025, according to Annual FOIA Report Section XII.D.2, did that backlog decrease as compared with the backlog reported at the end of Fiscal Year 2024?

Yes.

12. If not, according to Annual FOIA Report Section XII.D.1, did your agency process more requests during Fiscal Year 2025 than it did during Fiscal Year 2024?

N/A

13. If your agency's request backlog increased during Fiscal Year 2025, please explain why and describe the causes that contributed to your agency not being able to reduce its backlog. When doing so, please also indicate if any of the following were contributing factors:

- An increase in the number of incoming requests
- A loss of staff
- An increase in the complexity of the requests received (if possible, please provide examples or briefly describe the types of complex requests contributing to your backlog increase)
- Litigation
- Any other reasons – please briefly describe or provide examples when possible

N/A

14. If you had a request backlog, please report the percentage of requests that make up the backlog out of the total number of requests received by your agency in Fiscal Year 2025. Please use the following calculation based on data from your Annual FOIA Report: (backlogged requests from Section XII.A) divided by (requests received from Section V.A) x 100. This number can be greater than 100%. If your agency has no request backlog, please answer with "N/A."

126%

Backlogged Appeals

15. If your agency had a backlog of appeals at the close of Fiscal Year 2025, according to Section XII.E.2 of the Annual FOIA Report, did that backlog decrease as compared with the backlog reported at the end of Fiscal Year 2024?

No.

16. If not, according to section XII.E.1 of the Annual FOIA Report, did your agency process more appeals during Fiscal Year 2025 than it did during Fiscal Year 2024?

Yes.

17. If your agency's appeal backlog increased during Fiscal Year 2025, please explain why and describe the causes that contributed to your agency not being able to reduce its backlog. When doing so, please also indicate if any of the following were contributing factors:

- An increase in the number of incoming appeals
- A loss of staff
- An increase in the complexity of the requests received (if possible, please provide examples or briefly describe the types of complex requests contributing to your backlog increase)
- Litigation
- Any other reasons – please briefly describe or provide examples when possible

N/A. NSF's backlog of appeals remained at 3, and it did not increase or decrease from Fiscal Year 24.

18. If you had an appeal backlog, please report the percentage of appeals that make up the backlog out of the total number of appeals received by your agency in Fiscal Year 2025. Please use the following calculation based on data from your Annual FOIA Report: (backlogged appeals from Section XII.A) divided by (appeals received from Section VI.A) x 100. This number can be greater than 100%. If your agency did not receive any appeals in Fiscal Year 2025 and/or has no appeal backlog, please answer with "N/A."

27%

D. Backlog Reduction Plans

19. In the 2025 guidelines for Chief FOIA Officer Reports, any agency with a backlog of over 1000 requests in Fiscal Year 2024 was asked to provide a plan for achieving backlog reduction in the year ahead. Did your agency implement a backlog reduction plan last year? If so, describe your agency's efforts in implementing this plan and note if your agency was able to achieve backlog reduction in Fiscal Year 2025?

N/A, NSF's backlog in FY 2024 was less than 1,000 requests.

20. If your agency had a backlog of more than 1,000 requests in Fiscal Year 2025, please explain your agency's plan to reduce this backlog during Fiscal Year 2026.

N/A

E. Reducing the Age of Requests, Appeals, and Consultations

Ten Oldest Requests

21. In Fiscal Year 2025, did your agency close the ten oldest pending perfected requests that were reported in Section VII.E. of your Fiscal Year 2024 Annual FOIA Report?

No.

22. If no, please provide the number of these requests your agency was able to close by the end of the fiscal year, as listed in Section VII.E of your Fiscal Year 2025 Annual FOIA Report. If you had less than ten total oldest requests to close, please indicate that.

NSF was able to close 8 of its oldest requests from FY24.

23. Beyond working on the ten oldest requests, please describe any steps your agency took to reduce the overall age of your pending requests.

NSF has trained staff and worked more proactively with the requester community to make targeted searches.

Ten Oldest Appeals

24. In Fiscal Year 2025, did your agency close the ten oldest appeals that were reported pending in Section VI.C.5 of your Fiscal Year 2024 Annual FOIA Report?

No, but NSF had fewer than 10 oldest appeals in the FY24 Annual FOIA Report.

25. If no, please provide the number of these appeals your agency was able to close by the end of the fiscal year, as listed in Section VII.C.(5) of your Fiscal Year 2024 Annual FOIA Report. If you had less than ten total oldest appeals to close, please indicate that.

NSF had fewer than 10 oldest appeals to close. NSF closed 1 of its oldest appeals.

26. Beyond working on the ten oldest appeals, please describe any steps your agency took to reduce the overall age of your pending appeals.

NSF worked to ensure that the appeal backlog did not increase during FY25 and was able to close one of the oldest appeals.

Ten Oldest Consultations

27. In Fiscal Year 2025, did your agency close the ten oldest consultations that were reported pending in Section XII.C. of your Fiscal Year 2024 Annual FOIA Report?

No.

28. If no, please provide the number of these consultations your agency was able to close by the end of the fiscal year, as listed in Section XII.C. of your Fiscal Year 2024 Annual FOIA Report. If you had less than ten total oldest consultations to close, please indicate that.

NSF closed nine of its oldest consultations in FY24.

Additional Information Regarding Ten Oldest

29. If your agency did not close its ten oldest pending requests, appeals, or consultations, please explain why and provide a plan describing how your agency intends to close those “ten oldest” requests, appeals, and consultations during Fiscal Year 2026.

NSF has taken steps that it hopes will help lead to a reduction in the FOIA request backlog, including prioritizing the closure of its oldest requests and consultations, in the future

F. Additional Information about FOIA Processing

30. Were any requests at your agency the subject of FOIA litigation during the reporting period? If so, please describe the impact on your agency’s overall FOIA request processing and backlog. If possible, please indicate:

- The number and nature of requests subject to litigation
- Common causes leading to litigation
- Any other information to illustrate the impact of litigation on your overall FOIA administration

Yes. During this reporting period, two FOIA cases were in litigation, and one remains active at the time of this report.

- *In one case, the requester submitted a FOIA request in May 2023, seeking records relating to individuals in political appointee positions. In October 2024, the requester filed a complaint in federal court, stating that NSF had failed to respond to the request within the statutory time period. In May 2025, NSF made a production of records. The case was dismissed in August 2025.*
- *In another case, the requester submitted a FOIA request in June 2025, seeking records related to filing an extension for certain statutorily-required reports. In November 2025, the requester filed a complaint in federal court, stating that NSF had failed to produce any responsive records. The case is ongoing.*