



The Freedom of Information Act at NIEHS and NTP

What is the Freedom of Information Act?

Enacted in 1966, the Freedom of Information Act (FOIA) established, for the first time, an effective statutory right of access to government information. FOIA states that any person has a right, enforceable in court, of access to federal agency records, except to the extent that such records, or portions of them, are protected from disclosure by one of nine exemptions. See below for information about the exemptions.

What does the NIEHS FOIA office handle?

The FOIA office at the National Institute of Environmental Health Sciences (NIEHS), part of the National Institutes of Health, handles requests for records maintained by NIEHS and the National Toxicology Program (NTP).

How do I determine if I need to make a FOIA request?

Before submitting a request under FOIA, try to determine whether the information you seek is already in the public domain. NIEHS and NTP have a wealth of information available in both published and electronic formats. A search of the NIEHS or NTP websites, www.niehs.nih.gov or www.ntp.niehs.nih.gov, can be helpful in locating information.

If the information is not in the public domain, you will need to make a written request to the FOIA coordinator at NIEHS.

How do I make a FOIA request?

The following steps should be followed to prepare your FOIA request:

- Identify specific records requested and include as much information about those records as possible, for example, grant number and principal investigator's name, subject matter of the records, date range, originating office, etc. For details on how to obtain grant information, see next question.



- Include a statement that the records are requested under the Freedom of Information Act.
- Provide your contact information, including name, business name (if applicable), address, telephone number, and email address.
- Mail, fax, or email a request to the FOIA Coordinator, at the contact information below, or use the automated request form on the NIEHS website at www.niehs.nih.gov/about/od/ocpl/foia/contact.

Where do I find grant information for my request?

If you are interested in obtaining information on federally funded biomedical research projects, consult the NIH RePORT (Research Portfolio Online Reporting Tools) website at <http://report.nih.gov>. RePORT provides access to a variety of reporting tools, reports, data, and analyses of NIH research activities.

One of the tools, RePORTER, accessible at <http://projectreporter.nih.gov/reporter.cfm>, allows you to search a repository of NIH-funded research projects, and access publications and patents resulting from NIH funding. This tool will help you identify the grant number and agency, institute, or center funding the research in your FOIA request. RePORTER also provides links to PubMed Central, PubMed, and other resources about research funded at NIEHS and NTP.

If your request is for data from a grant, please refer to the guidelines for submitting a request under OMB Revised Circular A110 at <http://www.nih.gov/icd/od/foia/index.htm#requests>, and include a statement that the data is being requested under OMB Revised Circular A110.

Do I have to pay to get records?

FOIA allows agencies to recover part of the costs associated with responding to requests. The U.S. Department of Health and Human Services (HHS) regulations describe specific rules for fees and requesting a fee waiver at <http://www.hhs.gov/foia/45cfr5.html#Subd>. If you have questions about the possible fees involved with your request, please contact the NIEHS FOIA Coordinator.

What are FOIA exemptions and exclusions?

The Freedom of Information Act provides that the agency will provide access to identifiable documents within our possession unless one of nine exemptions or three exclusions applies. The exact language of the exemptions can be found in the Freedom of Information Act. Additional guidance on the exemptions and how they apply to certain documents can be found in the Department Regulations implementing the FOIA.

Where can I find more information about FOIA?

Freedom of Information Act NIEHS Coordinator Contact Information:

FOIA Coordinator
NIEHS
P.O. Box 12233 (MD K3-16)
Research Triangle Park, NC 27709-2233
Phone: (919) 541-3411
Email: niehsfoia@niehs.nih.gov

Additional resources:

- Freedom of Information Act
<http://www.nih.gov/icd/od/foia/5usc552.htm>
- NIH Freedom of Information Regulations, CFR Title 45, Part 5
<http://www.nih.gov/icd/od/foia/cfr45.htm>
- NIH Freedom of Information Act Office
<http://www.nih.gov/icd/od/foia/index.htm>
- HHS Freedom of Information Regulations
<http://www.hhs.gov/foia/45cfr5.html>
- U.S. Department of Justice Office of Information Policy
<http://www.justice.gov/oip/index.html>

About NIEHS and NTP

NIEHS is part of the world-renowned National Institutes of Health (NIH) within the U.S. Department of Health and Human Services (HHS). The National Toxicology Program (NTP), which coordinates toxicology studies within HHS, is headquartered at NIEHS.

NIEHS seeks to discover how the environment affects people in order to promote healthier lives. NIEHS achieves this mission through:

Extramural research and training funded by grants from NIEHS to scientists and environmental health workers.

Intramural research conducted by scientists at NIEHS.

Community outreach and communications programs that provide resources and information on research findings to the public and scientists worldwide.

NIEHS and NTP are located in the Research Triangle Park, a science and technology hub in North Carolina.

