

# **RESOURCE GUIDE: How to File a Freedom of Information Act (FOIA) Request with U.S. Federal Agencies**

## **Purpose**

This resource guide is designed to assist members of the Fulbright community in exercising their legal right to request access to government information through the Freedom of Information Act (FOIA). It provides step-by-step instructions, examples, and key resources to ensure clarity and confidence in navigating the FOIA process.

## **I. Understanding FOIA**

The Freedom of Information Act (FOIA), enacted as a standalone act in 1966, provides the public the right to request access to records from any federal agency. The Act is intended to promote transparency and accountability in government.

FOIA applies to the Executive Branch departments, agencies, and offices. It does not apply to Congress, the courts, or state and local governments.

Records that may be requested include:

1. Emails, memos, and reports related to specific programs or projects.
2. Statistical data, grant applications (including Fulbright Applications), contracts, and agency correspondence.

Exemptions may apply, including but not limited to information related to national security, personal privacy, and proprietary business interests.

## **II. Step-by-Step: How to File a FOIA Request**

### **Step 1: Identify the Correct Federal Agency**

Before submitting a request, determine which federal agency is likely to have the records in question. Consider the agency's mission and jurisdiction.

Examples:

- For information related to Fulbright grant administration or program funding, contact the U.S. Department of State's Bureau of Educational and Cultural Affairs.
- For records regarding education policy, student loan data, or institutional reporting, contact the U.S. Department of Education.

Agency websites and FOIA.gov can assist in identifying the appropriate entity.

### **Step 2: Craft Your Request**

A well-crafted FOIA request is specific, detailed, and complete. Include the following elements:

1. Your full name and contact information (email and mailing address).
2. A clear and specific description of the records requested, including:
  - Date ranges (e.g., “records from January 1, 2021, to December 31, 2022”).
  - Subject matter (e.g., “Fulbright program funding for South Asia”).
  - Record types (e.g., emails, contracts, reports).
3. Format preference, such as digital copies (PDF) or printed records.
4. Statement of request for fee waiver or limitation, if applicable.
5. Note if you are willing to accept partial or redacted records.

### **Step 3: Submit Your Request**

FOIA requests may be submitted through several methods, depending on the agency:

1. Online Portals:
  - Most federal agencies use an electronic FOIA (eFOIA) submission system.
    1. Example: The Department of State accepts requests through its online portal: <https://foia.state.gov/Request/>
    2. Example: The Department of Education uses the PAL FOIA Service Center: <https://foiaexpress.pal.ed.gov/>
2. Email or Mail:
  - Requests can be emailed or sent via postal mail to the agency’s designated FOIA office. Check the specific agency's FOIA page for submission instructions.

### **Step 4: Track Your Request**

Upon submission, you should receive a confirmation number. Use the following resources to monitor your request:

1. FOIA.gov Status Tracker: <https://www.foia.gov/>
2. Agency-specific tracking tools, if available.

Keep records of submission dates and all correspondence.

### **Step 5: Understand What to Expect**

1. Response Time: Federal agencies typically respond within 20 business days, though complex requests may require more time.

2. Fees: Fees may be charged based on the time required to search, review, and duplicate records. Educational or non-commercial requesters may qualify for fee waivers or reductions.
3. Redactions and Denials: Some records may be partially withheld or fully denied under one of the nine FOIA exemptions.
  - See all nine FOIA exemptions [here](#).
4. Appeals: If a request is denied, an administrative appeal may be filed. Follow the agency's instructions for submitting an appeal within the specified timeframe (typically 90 days).

### **III. Frequently Asked Questions (FAQs)**

1. Can a FOIA request be submitted anonymously?

No. Federal agencies require valid contact information to process a request and deliver the response.

2. How long will it take to receive a response?

While the statutory response period is 20 business days, actual processing time may vary depending on request complexity and agency workload.

3. What happens if I request records from the wrong agency?

Agencies may forward the request or notify the requester of the appropriate agency. However, delays may occur, so careful identification upfront is important.

4. Is there a limit to the number of FOIA requests I can file?

There is no formal limit. However, multiple complex or vague requests may delay processing or increase costs.

5. Will I always receive full copies of requested documents?

Not necessarily. Records may be redacted or withheld based on statutory exemptions.

6. Are there any costs involved in filing a FOIA request?

Filing is free, but agencies may charge for extensive search, review, or duplication. Requesters can specify cost limits and apply for waivers.