

NATIONAL SCIENCE FOUNDATION

4201 WILSON BOULEVARD
ARLINGTON, VIRGINIA 22230



OFFICE OF THE
GENERAL COUNSEL

Case #05-008F

November 18, 2004

**Mr. Wayne Madsen
Senior Fellow
Electronic Privacy Information Center
1718 Connecticut Avenue NW, Suite 200
Washington, D.C. 20009**

Dear Mr. Madsen:

This is in partial response to your October 20, 2004 Faxed Freedom of Information Act (FOIA) request for records relating to the Approaches to Combat Terrorism grant awarded to Professor Bulent Yener of Rensselaer Polytechnic Institute and all records between NSF and the Intelligence community concerning the subject grant.

Records responsive to your request are enclosed. However, from the NSF funded grant numbered 0442154 I have determined to withhold personal information (individual salaries, bios, pending and non-Federal grants) wherever it appears under the privacy protections of Exemption 6 of the FOIA. Your right of administrative appeal is set forth in Section 612.9 of the NSF FOIA regulation (copy enclosed). Dr. Yener advised me that he would be happy to talk with you and he may be reached via email: yener@cs.rpi.edu or telephone: 518-276-6907.

In addition, I am consulting with another Federal agency concerning portions of additional documents (as marked on the enclosed records) and I will advise you of the results as soon as possible.

Sincerely,

A handwritten signature in cursive script that reads "Leslie A. Jensen".

**Leslie A. Jensen
FOIA/Privacy Act Officer**

Enclosures

§612.9 Appeals.

(a) Appeals of denials. You may appeal a denial of your request to the General Counsel, National Science Foundation, 4201 Wilson Boulevard, Suite 1265, Arlington, VA 22230.

You must make your appeal in writing and it must be received by the Office of the General Counsel within ten days of the receipt of the denial (weekends, legal holidays, and the date of receipt excluded). Clearly mark your appeal letter and the envelope "Freedom of Information Act Appeal." Your appeal letter must include a copy of your written request and the denial together with any written argument you wish to submit.

(b) Responses to appeals. A written decision on your appeal will be made by the General Counsel. A decision affirming an adverse determination in whole or in part will contain a statement of the reason(s) for the affirmance, including any FOIA exemption(s) applied, and will inform you of the FOIA provisions for court review of the decision. If the adverse determination is reversed or modified on appeal, in whole or in part, you will be notified in a written decision and your request will be reprocessed in accordance with that appeal decision.

(c) When appeal is required. If you wish to seek review by a court of any denial, you must first appeal it under this section.