

National Aeronautics and Space Administration

**Langley Research Center**  
100 NASA Road  
Hampton, VA 23681-2199



December 9, 2015

Reply to Attn. of: Office of Communications

Mr. Keith Cowing  
NASAWatch.com c/o Reston Communications  
P. O. Box 3569  
Reston, VA 20195-1569  
Email: kcowing@spaceref.com

**REF: 16-LaRC-F-00109**

Dear Mr. Cowing:

Thank you for your Freedom of Information Act (FOIA) request dated November 18, 2015, and forwarded from NASA Headquarters to our office on November 19, 2015. Your request was assigned FOIA Case Number 16-LaRC-F-00109 and was for:

- 1) A list of all of the educational institutions and/or companies who submitted a proposal to NASA in response to NASA solicitation SpaceTech-REDDI-2015 NNH15ZOA001N-15GCD-C2 -- "GAME CHANGING DEVELOPMENT PROGRAM, HOSTING OF HUMANOID ROBOTS AND VALIDATION OF TASK PERFORMANCE FOR THE NASA SPACE ROBOTICS CHALLENGE APPENDIX to NASA Research Announcement (NRA): Space Technology - Research, Development, Demonstration, and Infusion - 2015 (SpaceTech-REDDI-2015), NNH15ZOA001N APPENDIX NUMBER: NNH15ZOA001N-15GCD-C2 THROUGH AMENDMENT 2" -- as posted at [http://nspires.nasaprs.com/external/viewrepositorydocument/cmdocumentid=467321/solicitationId=%7B03F2F115-89D2-1AAB-F632-574C1A80C65B%7D/viewSolicitationDocument=1/NNH15ZOA001N-15GCD\\_C2-Amended-20150730.pdf.pdf](http://nspires.nasaprs.com/external/viewrepositorydocument/cmdocumentid=467321/solicitationId=%7B03F2F115-89D2-1AAB-F632-574C1A80C65B%7D/viewSolicitationDocument=1/NNH15ZOA001N-15GCD_C2-Amended-20150730.pdf.pdf)
- 2) A list of other educational institutions and/or companies provided by DARPA or other government agencies considered for an award under NASA solicitation SpaceTech-REDDI-2015 NNH15ZOA001N-15GCD-C2
- 3) The criteria used by NASA to select awardees and the scores awarded to each proposal during review by NASA.

- 4) A list of all R5 related technical documents provided by NASA to Northeastern University and the Massachusetts Institute of Technology for the purpose of performing their R5 tasks and links to any of these documents that are online.
- 5) Copies of the proposals submitted to NASA in response to SpaceTech-REDDI-2015 NNH15ZOA001N-15GCD-C2 by Northeastern University and the Massachusetts Institute of Technology.
- 6) Copies of any MOUs, Space Act Agreements, and/or statements of work between NASA and Northeastern University and the Massachusetts Institute of Technology related to their contract awards to work on R5 technology.

In your request, you requested a fee waiver and asserted your status as a representative of the news media. In our letter to you dated November 20, 2015, we asked that you provide additional information to support your request for the fee category, representative of the news media and a fee waiver. In your email response, dated, November 20, 2015, you stated:

“I do not understand your answer. I am not certain how a detailed determination can be made about the documents I requested on such short notice - i.e. 24 hours - especially when I am told that program officials have not replied to earlier requests by NASA personnel in response to my initial requests.

I will write a detailed response to your letter and send it to you - and post it online on NASAWatch.com on Monday.

This letter reflects a process that creates work for everyone involved and is designed to inhibit the process of meeting FOIA requests - not to facilitate that process. As I noted before a lot of this should be within instant reach of the people running the program. If extensive work is needed to get that information to meet a FOIA request well ... as you asked in your letter, THAT inability to access routine contract information is what I will be writing about and THAT will be of interest to a wide audience.

Also .. in the best interest of saving taxpayer dollars, one would think that once a news organization/journalist/media representative has been vetted by your office as being legitimate that this vetting would not have to be done again and again - a process that inevitably costs tax dollars.

Describing the cumbersome and stalling process of meeting a FOIA request is, in and of itself, of intrinsic news value and will be of interest to a wider audience. This interaction has simply given me a broader context to frame my initial interests.”

Your response did not provide information to substantiate your request for either the fee category status or a fee waiver. Therefore, we placed you in the ‘other use’ category of requesters and began processing your request. In accordance with 14 CFR § 1206.507(c)(4),

other use requesters receive the first two hours of search and 100 pages of copy/scan without charge. We completed a search within the first two hours. The following details our response:

Item Number 1:

All names except winning candidates are being withheld from disclosure pursuant to FOIA Exemption 5 U.S.C. § 552 (b)(3) relying on 10 U.S.C. § 2305(g), which provides blanket protection for the proposals of offerors submitted in response to a solicitation for a competitive proposal. FOIA Exemption 5 U.S.C. § 552 (b)(3), protects records specifically exempted from disclosure by statute (other than section 552b of this title), provided that such statute:

- (A) requires that the matters be withheld from the public in such a manner as to leave no discretion on the issue, or
- (B) establishes particular criteria for withholding or refers to particular types of matters to be withheld

Item Number 2:

No records

Item Number 3:

The criteria in the solicitation is being released. However, the scores of all offerors awarded to each proposal during review by NASA are being withheld pursuant to FOIA Exemption 5 U.S.C. § 552(b)(5). FOIA Exemption U.S.C. § 552(b)(5) protects inter-agency or intra-agency memorandums or letters which would not be available by law to a party other than an agency in litigation with the agency.

Item Number 4:

Released

Item Number 5:

All submitted proposals and proposal titles are being withheld from disclosure pursuant to FOIA Exemption 5 U.S.C. § 552 (b)(3) relying on 10 U.S.C. § 2305(g).

Item Number 6:

No records


Since information is being withheld, in accordance with, 14 CFR § 1206.700, you have the right to appeal this partial denial within 30 days from the date of this letter. Your appeal must be in writing and should be addressed to:

Administrator  
NASA Headquarters  
Executive Secretariat  
MS 9R17  
Washington, DC 20546  
ATTN: FOIA Appeals

The appeal should be marked "Appeal under the Freedom of Information Act" both on the envelope and the face of the letter. A copy of your initial request must be enclosed along with a copy of the adverse determination and any other correspondence with the FOIA office. In order to expedite the appellate process and ensure full consideration of your appeal, your appeal should contain a brief statement of the reasons you believe this initial decision to be in error.

I am the official responsible for this partial denial. Fees for processing your request were less than \$50 and are not being charged in accordance with 14 CFR §1206.504(f); therefore, your request for a fee waiver and to be placed in the representative of the news media fee category is moot. This information is provided under the provisions of the FOIA. If you require further assistance, I can be reached at 757-864-4274 or electronically at [carissa.s.wheeler@nasa.gov](mailto:carissa.s.wheeler@nasa.gov).

Sincerely,

A handwritten signature in purple ink that reads "Carissa S. Wheeler". The signature is written in a cursive style with a large initial 'C'.

Carissa S. Wheeler, FOIA Officer  
NASA Langley Research Center