

National Aeronautics and  
Space Administration

**John H. Glenn Research Center**  
**Lewis Field**  
Cleveland, OH 44135-3191



Reply to Attn of: X

**JAN 21 2008**

FedSources, Inc.  
Attn: Quincy Wilkins  
8400 Westpark Drive, 4<sup>th</sup> Floor  
McLean, VA 22102

**Subject: Freedom of Information Act Request No. GRC-09-005**

This letter is to advise you that a releasability determination regarding the NASA Glenn Research Center's contract NNC09BA02B with Zin Technologies has been made. This determination has taken into consideration the relevant statutes, case law, and guidance, as well as comments received from the Contracting Officer and the submitter. Accordingly, it is my decision to partially deny your request. The basis for this partial denial is set forth below.

The contract and attachments J-1 through J-3 will be released in full, and a copy is attached hereto. Attachment J-4 of this contract entitled "Bid Labor Rates" has been identified as exempt from release under Exemption 4 of the FOIA, 5 U.S.C § 552(b).

The bid labor rates and Zin Technologies indirect rates listed in attachments J-4 are exempt from release under Exemption 4 of the FOIA as "commercial information, and obtained from a person, as privileged or confidential." This information reveals the unique methods, procedures, and/or techniques employed by the contractor to accomplish the contract, and therefore, is considered to be confidential. The initial determination has been made that the information is exempt from release under the Freedom of Information Act, 5 U.S.C. § 552(b)(4).

In order to properly and effectively conduct procurements, it is necessary for the Government to obtain detailed technical, financial, and commercial data. Only through evaluation of complete and accurate data of this type can the Government hope to negotiate an agreement that best meets its requirements, both cost and technical. It is mandatory that the federal procurement process be handled in a manner that fosters and promotes uninhibited transmission of confidential material. In short, public disclosure of this information would undermine the integrity of the federal procurement process.

In addition to protecting the Government's ability to obtain necessary information, exemption (b)(4) protects the competitive position of submitters. Disclosure of the

requested information could cause substantial competitive injury to the submitter because it would reveal insights into their business practices. Again, public disclosure of this information would undermine the integrity of the federal procurement process.

There is no charge for providing you this information.

You may appeal this initial determination to the NASA Administrator. Your appeal must (1) be addressed to the **Administrator, National Aeronautics and Space (NASA), Mail Stop: P, 300 E. Street SW, Washington, DC 20546**; (2) be clearly identified on the envelope and in the letter as an "Appeal under the Freedom of Information Act (FOIA)"; (3) include a copy of the request for the Agency record and a copy of this initial determination; (4) to the extent possible, state the reasons why you believe this decision should be reversed; and (5) be sent to the Administrator within 30 calendar days of the date of the receipt of this initial determination.

If you need further assistance, please contact Angela Pierce, FOIA Officer, at (216) 433-2813 or via e-mail at [foia@grc.nasa.gov](mailto:foia@grc.nasa.gov).

A handwritten signature in black ink, appearing to read "Howard D. Ross". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Howard D. Ross  
Acting Director of External Programs