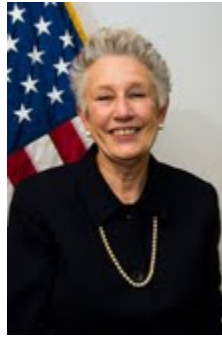




**U.S. General Services Administration  
Freedom of Information Act Annual Report for Fiscal  
Year 2013**

## Message from the Chief Freedom of Information Act Officer



I am pleased to issue the U.S. General Service Administration's (GSA's) Fiscal Year 2013 Freedom of Information Act (FOIA) Report to the Attorney General.

This past fiscal year, GSA has received, processed and responded to over 1,300 nationwide FOIA requests. In support of President Obama's direction on openness and transparency in federal government operations and in line with GSA's strategic goals, GSA strives to respond to FOIA requests in a timely and accurate manner. In furtherance of this objective, during this fiscal year, GSA consolidated and centralized its FOIA operations. This reorganization is expected to enable greater accountability and transparency. Once fully implemented and GSA has a period of time under the new system, the change will also provide more oversight and control over the FOIA process, including: improved tracking of each FOIA response, enhanced compliance with statutory time limits, improved quality of agency response letters, and increased coordination with different offices throughout GSA.

Through continued education and awareness, the GSA leadership team has ensured program support and responsiveness to FOIA requests by employees at all levels and in all organizations.

GSA remains committed to providing the highest quality customer service to our federal partners and American citizens.

Cynthia A. Metzler  
Chief Freedom of Information Act Officer  
U.S. General Service Administration

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## I. Basic Information Regarding Report

1. Questions about the report may be directed to:

Ms. Kimberly G. Veach  
U.S. General Services Administration (H1C)  
1800 F. Street, NW, Room 7308  
Washington, DC 20405  
(202) 219-1603  
kimberly.veach@gsa.gov

2. To access this report on the Internet, click on the link below and select 2013 FOIA Report.

<http://www.gsa.gov/portal/content/104389>

3. To obtain a paper copy of the report, contact Ms. Kimberly G. Veach at the address listed above or via email at [kimberly.veach@gsa.gov](mailto:kimberly.veach@gsa.gov).

## II. Make a FOIA Request

1. The U.S. General Services Administration's (GSA's) instructions on requesting information through FOIA, and the names, addresses and telephone numbers of GSA Requester Service Center are available by clicking on the following link:

<http://www.gsa.gov/portal/category/21416>

2. GSA releases information in response to requests under the FOIA unless an exemption applies and GSA has a compelling reason to invoke the exemption. Even if the information falls clearly within an exemption, GSA discloses information unless the agency reasonably foresees that disclosure would harm an interest protected by one of the statutory exemptions, or disclosure is prohibited by law. Exemptions 2 through 7 are the most common exemptions that apply to GSA records.

- a. 5 U.S.C. 552(b)(2): second statutory exemption. Generally, this language provides for exemption of matters “related solely to the internal personnel rules and practices of an agency.”

- b. 5 U.S.C. 552(b)(3): third statutory exemption. The primary Exemption 3 statute that applies to GSA records is 41 USC 4702. This statute protects contractor proposals that are in the

possession or control of an executive agency and that have not been set forth or incorporated by reference into contracts. In the recodification of the Procurement Integrity Act, 41 USC 2102, GSA is also prohibited from releasing "contractor bid or proposal information or source selection information before the award of a Federal agency procurement contract to which the information relates."

c. 5 U.S.C. 552(b)(4); fourth statutory exemption. GSA may withhold commercial or financial records submitted to the Government by a person (e.g., a business), if release of the information would cause substantial harm to the competitive position of the person from whom the information was obtained or when release would impair the Government's ability to obtain necessary information in the future. Lease files are especially likely to contain information protected from release under this exemption. Correspondence from prospective lessors frequently reveals information regarding the manner in which a prospective lessor operates or manages its building, which, if released, could be commercially harmful to the lessor in subsequent leasing actions for non-Government space within the building. Examples of commercial or financial information that may qualify for this exemption include:

1. Private business sales statistics.
2. Technical designs.
3. Research data.
4. Non-Federal customer and supplier lists.
5. Overhead and operating costs.
6. Non-public financial statements.
7. Resumes of company employees.
8. Names of consultants and subcontractors.
9. Details of production or quality control systems information.
10. Internal operating procedures and staffing patterns.

d. 5 U.S.C. 552(b)(5); fifth statutory exemption. Records that may be withheld under the fifth statutory exemption include predecisional agency memoranda that reveal the decision making process of government agencies where the exposure of that process would result in harm.

1. Records that are part of GSA's decision-making process. When screening records for documents that should be withheld under the fifth statutory exemption, GSA will ask whether the document is predecisional and whether it reflects the deliberative process (makes recommendations or expresses opinions or advice). Examples of typical predecisional, deliberative material are drafts and internal memoranda expressing an opinion on a proposed policy or course of action. Predecisional material can retain its exempt status even after the final decision is made. GSA will disclose material of a purely factual nature that can be reasonably extracted from exempt material unless the factual material is exempt under some other criteria.

2. Records that are generated by the Government in the process leading up to the award of a contract. GSA may withhold records under the fifth statutory exemption if disclosure would cause commercial harm to the Government; e.g., place the Government at a competitive disadvantage in preaward negotiations. Examples include realty appraisals generated by the Government in the course of soliciting buyers for Government property and Government cost estimates. Some of these documents may lose their exempt status after award if the potential for

commercial harm no longer exists. Other documents, such as cost estimates, may continue to qualify for withholding if disclosure is likely to harm a similar ongoing procurement action.

3. Records that contain other legally recognized privileges. GSA may withhold records that are covered by attorney-client privilege or that may be classified as attorney work product.

e. 5 U.S.C. 552(b)(6): sixth statutory exemption. Exemption 6 protects information about individuals in "personnel and medical files and similar files" when the disclosure of such information "would constitute a clearly unwarranted invasion of personal privacy. GSA determines whether disclosure "would constitute a clearly unwarranted invasion of personal privacy" by balancing the privacy interest that would be compromised by disclosure against any public interest in the requested information.

f. 5 U.S.C. 552(b)(7)(A): seventh statutory exemption. Exemption 7 of the Freedom of Information Act protects from disclosure "records or information compiled for law enforcement purposes, but only to the extent that the production of such law enforcement records or information could reasonably be expected to interfere with enforcement proceedings.

g. 5 U.S.C. 552(b)(7)(B): seventh statutory exemption. Exemption 7 of the Freedom of Information Act protects from disclosure "records or information compiled for law enforcement purposes, but only to the extent that the production of such law enforcement records or information would deprive a person of a right to a fair trial or an impartial adjudication.

h. 5 U.S.C. 552(b)(7)(C): seventh statutory exemption. Exemption 7 of the Freedom of Information Act protects from disclosure "records or information compiled for law enforcement purposes, but only to the extent that the production of such law enforcement records or information could reasonably be expected to constitute an unwarranted invasion of personal privacy.

i. 5 U.S.C. 552(b)(7)(D): seventh statutory exemption. Exemption 7 of the Freedom of Information Act protects from disclosure "records or information compiled for law enforcement purposes, but only to the extent that the production of such law enforcement records or information could reasonably be expected to disclose the identity of a confidential source, including a State, local, or foreign agency or authority or any private institution which furnished information on a confidential basis, and, in the case of a record or information compiled by a criminal law enforcement authority in the course of a criminal investigation, or by an agency conducting a lawful national security intelligence investigation, information furnished by a confidential source.

j. 5 U.S.C. 552(b)(7)(E): seventh statutory exemption. Exemption 7 of the Freedom of Information Act protects from disclosure "records or information compiled for law enforcement purposes, but only to the extent that the production of such law enforcement records or information could reasonably be expected to endanger the life or physical safety of any individual.

### III. Acronyms, Definitions, and Exemptions

#### 1. Agency-specific acronyms or other terms:

1A	New England Region
2A	Northeast and Caribbean Region
3A	Mid-Atlantic Region
4A	Southeast Sunbelt Region
5A	Great Lakes Region
6A	The Heartland Region
7A	Greater Southwest Region
8A	Rocky Mountain Region
9A	Pacific Rim Region
10A	Northwest/Arctic Region
11A	National Capital Region
A	Administrator
AC	Chief of Staff
AD	Deputy Administrator
CBCA	Civilian Board of Contract Appeals
OCPO	Office of the Chief People Officer
FAS	Federal Acquisition Service
FOIA	Freedom of Information Act
GSA	U.S. General Services Administration
OAS	Office of Administrative Services

OCAO	Office of the Chief Acquisition Officer
OCFO	Office of the Chief Financial Officer
OCIA	Office of Congressional & Intergovernmental Affairs
OCIO	Office of the Chief Information Officer
OCM	Office of Communications & Marketing
OCR	Office of Civil Rights
OCSIT	Office of Citizen Services & Innovative Technologies
OERR	Office of Emergency Response and Recovery
OGC	Office of General Counsel
OGP	Office of Government-Wide Policy
OIG	Office of Inspector General
OSBU	Office of Small Business Utilization
PBS	Public Buildings Service

2. Basic terms:

**a. Administrative Appeal** - a request to a federal agency asking that it review at a higher administrative level a FOIA determination made by the agency at the initial request level.

**b. Average number** - the number obtained by dividing the sum of a group of numbers by the quantity of numbers in the group. For example, of 3, 7, and 14, the average number is 8.

**c. Backlog** - the number of requests or administrative appeals that are pending at an agency at the end of the fiscal year that are beyond the statutory time period for a response.

**d. Component** - for agencies that process requests on a decentralized basis, a “component” is an entity, also sometimes referred to as an Office, Division, Bureau, Center, or Directorate, within the agency that processes FOIA requests. The FOIA now requires that agencies include in their annual FOIA Report data for both the agency overall and for each principal component of the agency.



**e. Consultation** - the procedure whereby the agency responding to a FOIA request first forwards a record to another agency for its review because that other agency has an interest in the document. Once the agency in receipt of the consultation finishes its review of the record, it responds back to the agency that forwarded it. That agency, in turn, will then respond to the FOIA requester.

**f. Exemption 3 Statute** - a federal statute that exempts information from disclosure and which the agency relies on to withhold information under subsection (b)(3) of the FOIA.

**g. FOIA request** - a FOIA request is generally a request to a federal agency for access to records concerning another person (i.e., a “third-party” request), or concerning an organization, or a particular topic of interest. FOIA requests also include requests made by requesters seeking records concerning themselves (i.e., “first-party” requests) when those requesters are not subject to the Privacy Act, such as non-U.S. citizens. Moreover, because all first-party requesters should be afforded the benefit of both the access provisions of the FOIA as well as those of the Privacy Act, FOIA requests also include any first-party requests where an agency determines that it must search beyond its Privacy Act “systems of records” or where a Privacy Act exemption applies, and the agency looks to FOIA to afford the greatest possible access. All requests which require the agency to utilize the FOIA in responding to the requester are included in this Report.

Additionally, a FOIA request includes records referred to the agency for processing and direct response to the requester. It does not, however, include records for which the agency has received a consultation from another agency. (Consultations are reported separately in Section XII of this Report).

**h. Full grant** - an agency decision to disclose all records in full in response to a FOIA request.

**i. Full denial** - an agency decision not to release any records in response to a FOIA request because the records are exempt in their entireties under one or more of the FOIA exemptions, or because of a procedural reason, such as a no records could be located.

**j. Median number** - the middle, not average, number. For Example, of 3, 7, and 14, the median number is 7.

**k. Multi-track processing** - a system in which simple requests requiring relatively minimal review are placed in one processing track and more voluminous and complex requests are placed in one or more other tracks. Requests granted expedited processing are placed in yet another track. Requests in each track are processed on a first-in/first-out basis.

**i. Expedited processing** - an agency will process a FOIA request on an expedited basis when a requester satisfies the requirements for expedited processing as set forth in the statute and in agency regulations.

**ii. Simple request** - a FOIA request that an agency using multi-track processing places in its fastest (non-expedited) track based on the volume and/or simplicity of records requested.

**iii. Complex request** - a FOIA request that an agency using multi-track processing places in a slower track based on the volume and/or complexity of records requested.

**l. Partial grant/Partial denial** - in response to a FOIA request, an agency decision to disclose portions of the records and to withhold other portions that are exempt under the FOIA, or to otherwise deny a portion of the request for a procedural reason.

**m. Pending request or Pending Administrative Appeal** - a request or administrative appeal for which an agency has not taken final action in all respects.

**n. Perfected request** - a request for records which reasonably describes such records and is made in accordance with published rules stating the time, place, fees (if any) and procedures to be followed.

**o. Processed request or Processed Administrative Appeal** - a request or administrative appeal for which an agency has taken a final action in all respects.

**p. Range in number of days** - the lowest and highest numbers of days to process requests or administrative appeals.

**q. Time limits** - the time period in the statute for an agency to respond to a FOIA request (ordinarily 20 working days from a proper receipt of a perfected FOIA request).

### **FOIA Exemptions**

**Exemption 1:** Protects from disclosure information that has been deemed classified "under criteria established by an Executive order to be kept secret in the interest of national defense or foreign policy" and is "in fact properly classified pursuant to such Executive order. The current Executive Order that addresses classified National Security Information is EO 13526.

**Exemption 2:** Protects records that are "related solely to the internal personnel rules and practices of an agency."

**Exemption 3:** Protects information that has been "specifically exempted from disclosure by statute."

Subpart A - Status with an absolute prohibition on disclosure with no agency discretion or a statute that provides specific criteria for withholding;

Subpart B If the statute was enacted after the OPEN FOIA Act of 2009, it specifically cites exemptions 3.

**Exemption 4:** Commercial or financial information obtained from a person that is privileged or confidential.

**Exemption 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."

**Exemption 6:** Protects information in personnel and medical files and similar files when disclosure would constitute a clearly unwarranted invasion of personal privacy.

**Exemption 7:** Compiled for law enforcement purposes, the release of which

A) Could reasonably be expected to interfere with law enforcement

- proceedings,
- B) Would deprive a person of a right to a fair trial or an impartial adjudication,
  - C) Could reasonably be expected to constitute an unwarranted invasion of personal privacy,
  - D) Could reasonably be expected to disclose the identity of a confidential source,
  - E) Would disclose techniques, procedures, or guidelines for investigations or prosecutions, or
  - F) Could reasonably be expected to endanger an individual's life or physical safety.

**Exemption 8:** Protects matters contained in or related to examination, operating, or condition reports prepared by or for regulators or supervisors of financial institutions.

**Exemption 9:** Protects geological information and data, including maps, concerning wells.

#### IV. Exemption 3 Statutes#

##### IV: GSA Exemption 3 Statutes relied upon to withhold GSA information.

Statute	Type of Information Withheld	Case Citation	Number of Times Relied upon	Total Number of Times Relied upon by Agency
<b>41 USC 4702</b>	Contractor proposals that are in the possession or control of an executive agency and that have not been set forth or incorporated by reference into contracts	<u>Margolin v. NASA</u> , No. 09CV-00421-LRH-VPC, 2011 WL 1303221, at *6 (D. Nev. Mar. 31, 2011); <u>Hornbostel v. U.S. Dep't of the Interior</u> , 305 F. Supp. 2d 21, 30 (D.D.C. 2003), <u>summary affirmance granted</u> , No. 03-5257, 2004 WL 1900562 (D.C. Cir. Aug. 25, 2004).	<b>113</b>	<b>113</b>
<b>41 USC 4702</b>	Contractor proposals that are in the possession or control of an executive agency and that have not been set forth or incorporated by reference into contracts	<u>Margolin v. NASA</u> , No. 09CV-00421-LRH-VPC, 2011 WL 1303221, at *6 (D. Nev. Mar. 31, 2011); <u>Hornbostel v. U.S. Dep't of the Interior</u> , 305 F. Supp. 2d 21, 30 (D.D.C. 2003), <u>summary affirmance granted</u> , No. 03-5257, 2004 WL 1900562 (D.C. Cir. Aug. 25, 2004).	<b>32</b>	<b>32</b>

## V. GSA FOIA Requests

### V.A: GSA Received, Processed and Pending FOIA Requests

	Number of GSA Requests Pending as of Start of Fiscal Year	Number of GSA Requests Received in Fiscal Year	Number of GSA Requests Processed in Fiscal Year	Number of GSA Requests Pending as of End of Fiscal Year
Agency Overall 2012	109 1	690	1773	26
Agency Overall 2013	<b>26 1,</b>	<b>352</b>	<b>1,318</b>	<b>60</b>

**V.B. 1: Disposition of GSA FOIA Requests – All Processed Requests**

	Number of Full Grants	Number of Partial Grants/ Partial Denials	Number of Full Denials Based on Exemptions	Number of Full Denials Based on Reasons Other than Exemptions									TOTAL
				No Records	All Records Referred to Another Component or Agency	Request Withdrawn	Fee-Related Reason	Records not Reasonably Described	Improper FOIA Request for Other Reason	Not Agency Record	Duplicate Request	Other *Explain in chart below	
Agency Overall 2012	749 4	49	47	247	11	106	35	5	28	36	60	0	1773
Agency Overall 2013	<b>365 39</b>	<b>0</b>	<b>58</b>	<b>144</b>	<b>26</b>	<b>162</b>	<b>28</b>	<b>16</b>	<b>31</b>	<b>56</b>	<b>42</b>	<b>0</b>	<b>1,318</b>

**V.B.2: Disposition of FOIA Requests – “Other” Reasons for “Full Denials Based on Reasons Other than Exemptions” from Section V, B (1) Chart**

Component	Description of “Other” Reasons for Denials from Chart B (1) & Number of Times Those Reasons Were Relied upon	TOTAL
Agency Overall 2012	0	0
Agency Overall 2013	0	0

**V.B. 3: Disposition of FOIA Requests – Number of Times Exemptions Applied**

	Ex1	Ex2	Ex. 3	Ex. 4	Ex. 5	Ex. 6	Ex. 7(A)	Ex. 7(B)	Ex. 7(C)	Ex. 7(D)	Ex. 7(E)	Ex. 7(F)	Ex8	Ex9
Agency Overall 2012	0	34	113	360	168	210	28	2	69	5	12	22	0	0
Agency Overall 2013	0	2	32	266	117	188	7	2	26	6	4	36	0	0

**VI. Administrative Appeals and Determination of FOIA Requests**

**VI.A: Received, processed and pending Administrative GSA Appeals**

	Number of GSA Appeals Pending as of Start of Fiscal Year	Number of GSA Appeals Received in Fiscal Year	Number of GSA Appeals Processed in Fiscal Year	Number of GSA Appeals Pending as of End of Fiscal Year
Agency Overall 2012	3	33	28	8
Agency Overall 2013	8	21	23	6

**VI.B: Disposition of Administrative Appeals – All GSA Processed Appeals**

Number Affirmed on Appeal		Number Partially Affirmed & Partially Reversed/Remanded on Appeal	Number Completely Reversed/Remanded on Appeal	Number of Appeals Closed for Other Reasons	TOTAL
2012	137		1	7	28
2013 1	3	8	0	2	23

**VI.C. (1): GSA Reasons for Denial on Appeal -Number of Times Exemptions Applied**

	Ex 1	Ex 2	Ex 3	Ex 4	Ex 5	Ex 6	Ex 7(A)	Ex 7(B)	Ex 7(C)	Ex 7(D)	Ex 7(E)	Ex 7(F)	Ex 8	Ex 9		
2012	0	0	2	2			1	2	1	0	2	0	0	1	0	0
2013	0	0	0	4			2	3	0	0	0	0	0	0	0	0

**VI.C. (2): GSA Reasons for Denial on Appeal – Reasons Other than Exemptions**

	No Records	Records Referred at Initial Request Level	Request Withdrawn	Fee-Related Reason	Records not Reasonably Described	Improper Request for Other Reasons	Not Agency Record	Duplicate Request or Appeal	Request in Litigation	Appeal Based Solely on Denial of Request for Expedited Processing	Other *Explain in chart below
2012	5	0	3	1	0	0 1		0	0 0		0
2013 0		0	2	0	0	0 0		0	0 0		0

**VI.C (3): GSA Reasons for Denial on Appeal – “Other” Reasons from Section VI, C (2) Chart**

Description of “Other” Reasons for Denial on Appeal from Chart C (2) & Number of Times Those Reasons Were Relied upon	TOTAL
N/A	0
N/A	0



**VI.C. (4): Response Time for GSA Administrative Appeals**

<b>Median Number of Days</b>	<b>Average Number of Days</b>	<b>Lowest Number of Days</b>	<b>Highest Number of Days</b>
42.4	6.93	3	168
<b>69.88</b>	<b>.65</b>	<b>10</b>	<b>238</b>

**VI.C. (5): Ten Oldest Pending Administrative GSA Appeals**

<b>Agency Overall 2012</b>	<b>10<sup>th</sup></b>	<b>9<sup>th</sup> 8</b>	<b>th 7</b>	<b>th 6</b>	<b>th 5</b>	<b>th 4</b>	<b>th 3</b>	<b>rd 2</b>	<b>nd</b>	<b>Oldest Appeal</b>
<b>Date of Receipt of Ten Oldest Appeals</b>	0 0		9/25/2012	9/25/2012	9/25/2012	9 /24/2012	8/27/2012	8/21/2012	7/26/2012	7/09/2012
<b>Number of Days Pending</b>	0	0	5 5 5			6	34	40	66	83

<b>Agency Overall 2013</b>	<b>10<sup>th</sup></b>	<b>9<sup>th</sup></b>	<b>8<sup>th</sup> 7</b>	<b>th 6</b>	<b>th 5</b>	<b>th 4</b>	<b>th 3</b>	<b>rd 2</b>	<b>nd</b>	<b>Oldest Appeal</b>
<b>Date of Receipt of Ten Oldest Appeals</b>	0 0		0	0	9/30/2013	9/26/2013	9/11/2013	9/04/2013	8/26/2013	7/23/2013
<b>Number of Days Pending</b>	0 0		0	0	1	4	19	26	35	69

## VII: GSA FOIA Requests: Response Time or Processed and Pending Requests

Information captured for the period October 1, 2012 to September 30, 2013

### VII.A: GSA Processed Requests – Response Time for All Processed Perfected Requests

	SIMPLE				COMPLEX				EXPEDITED PROCESSING			
	Median Number of Days	Average Number of Days	Lowest Number of Days	Highest Number of Days	Median Number of Days	Average Number of Days	Lowest Number of Days	Highest Number of Days	Median Number of Days	Average Number of Days	Lowest Number of Days	Highest Number of Days
<b>Agency Overall 2012</b>	35	49.73	0	1507	0	0	0	0	0	0	0	0
<b>Agency Overall 2013</b>	<b>21</b>	<b>20.06</b>	<b>&lt; 1</b>	<b>40</b>	<b>48</b>	<b>63.45</b>	<b>&lt; 1</b>	<b>400</b>	<b>1</b>	<b>1</b>	<b>&lt; 1</b>	<b>2</b>

*For FY 2012 GSA reported all FOIAs under Simple.*

**VII.B: GSA Processed Requests – Response Time for Perfected Requests in Which Information Was Granted**

	SIMPLE				COMPLEX				EXPEDITED PROCESSING			
	Median Number of Days	Average Number of Days	Lowest Number of Days	Highest Number of Days	Median Number of Days	Average Number of Days	Lowest Number of Days	Highest Number of Days	Median Number of Days	Average Number of Days	Lowest Number of Days	Highest Number of Days
Agency Overall 2012	35	49.73	0	1507	0	0	0	0	0	0	0	0
Agency Overall 2013	<b>21</b>	<b>20.06</b>	<b>&lt; 1</b>	<b>40</b>	<b>48</b>	<b>63.45</b>	<b>&lt; 1</b>	<b>400</b>	<b>1</b>	<b>1</b>	<b>&lt; 1</b>	<b>2</b>

*For FY 2012 GSA reported all FOIAs under Simple.*

**VII.C: GSA Processed Requests – Response Time in Day Increments**

**GSA Simple Requests**

	<b>1-20 Days</b>	<b>21-40 Days</b>	<b>41-60 Days</b>	<b>61-80 Days</b>	<b>81-100 Days</b>	<b>101-120 Days</b>	<b>121-140 Days</b>	<b>141-160 Days</b>	<b>161-180 Days</b>	<b>181-200 Days</b>	<b>201-300 Days</b>	<b>301-400 Days</b>	<b>401+ Days</b>	<b>TOTAL</b>
<b>Agency Overall 2012</b>	<b>380</b>	<b>612</b>	<b>329</b>	<b>130</b>	<b>70</b>	<b>94</b>	<b>129</b>	<b>7</b>	<b>6</b>	<b>4</b>	<b>6</b>	<b>3</b>	<b>3</b>	<b>1773</b>
<b>Agency Overall 2013</b>	<b>114</b>	<b>145</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>259</b>

*For FY 2012 GSA reported all FOIAs under Simple.*

### GSA Complex Requests

	1-20 Days	21-40 Days	41-60 Days	61-80 Days	81-100 Days	101-120 Days	121-140 Days	141-160 Days	161-180 Days	181-200 Days	201-300 Days	301-400 Days	401+ Days	TOTAL
Agency Overall 2012	0	0	0	0	0	0 0 0 0				0 0		0	0	0
Agency Overall 2013	189	253	214	121	91	57 33		22	20	13 37		7	0	1,057

### VII.C: GSA Requests Granted Expedited Processing

	1-20 Days	21-40 Days	41-60 Days	61-80 Days	81-100 Days	101-120 Days	121-140 Days	141-160 Days	161-180 Days	181-200 Days	201-300 Days	301-400 Days	401+ Days	TOTAL
Agency Overall 2012	0	0	0	0 0		0	0	0	0 0 0			0	0	0
Agency Overall 2013	2	0	0	0 0		0	0	0	0 0 0			0	0	2

**VII.D: GSA Pending Requests – All Pending Perfected Requests**

	SIMPLE			COMPLEX			EXPEDITED PROCESSING		
	Number Pending	Median Number of Days	Average Number of Days	Number Pending	Median Number of Days	Average Number of Days	Number Pending	Median Number of Days	Average Number of Days
Agency Overall 2012	1813	4	52.48	0	0	0	0	0	0
Agency Overall 2013	<b>25</b>	<b>19.2</b>	<b>3.44</b>	<b>133</b>	<b>33</b>	<b>68.16</b>	<b>0</b>	<b>N/A</b>	<b>/A</b>

**VII.E: GSA Pending Requests – Ten Oldest Pending Perfected Requests**

	<b>10<sup>th</sup> Oldest Request and Number of Days Pending</b>	<b>9<sup>th</sup></b>	<b>8<sup>th</sup></b>	<b>7<sup>th</sup></b>	<b>6<sup>th</sup></b>	<b>5<sup>th</sup></b>	<b>4<sup>th</sup></b>	<b>3<sup>rd</sup></b>	<b>2<sup>nd</sup></b>	<b>Oldest Request and Number of Days Pending</b>
<b>Agency Overall 2012</b>	04/12/2012 164 days	04/12/2012 171days	04/06/2012 177 days	03/28/2012 186 days	03/27/2012 187 days	03/24/2012 190 days	02/06/2012 230 days	01/23/2012 246 day	01/18/2012 256 days	01/05/2012 269 days
<b>Agency Overall 2013</b>	<b>02/06/2013</b> <b>195 days</b>	<b>01/29/2013</b> <b>244 days</b>	<b>01/29/2013</b> <b>244 days</b>	<b>01/29/2013</b> <b>244 days</b>	<b>12/18/2012</b> <b>272 days</b>	<b>12/10/2012</b> <b>294 days</b>	<b>12/03/2012</b> <b>301 days</b>	<b>09/06/2012</b> <b>389 days</b>	<b>08/17/2012</b> <b>409 days</b>	<b>08/17/2012</b> <b>409 days</b>



## VIII. GSA Requests for Expedited Processing and Requests for Fee Waiver

### VIII.A: Requests for Expedited Processing

	Number Granted	Number Denied	Median Number of Days to Adjudicate	Average Number of Days to Adjudicate	Number Adjudicated Within Ten Calendar Days
Agency Overall 2012	12 21		33	39.88	2
Agency Overall 2013	<b>21</b>	<b>0</b>	<b>1</b>	<b>1</b>	<b>12</b>

**VIII.B: Requests for Fee Waiver**

	<b>Number Granted</b>	<b>Number Denied</b>	<b>Median Number of Days to Adjudicate</b>	<b>Average Number of Days to Adjudicate</b>
<b>Agency Overall 2012</b>	12 21		33	39.88
<b>Agency Overall 2013</b>	<b>1 12</b>		<b>42</b>	<b>51.15</b>

## IX. GSA FOIA Personnel and Costs

Note: These figures do not necessarily portray GSA's entire work year investment in FOIA activities. During FY 2013, the FOIA program was centralized from a leadership, policy and accountability standpoint. As a result of the consolidation, some individuals responsible for coordinating FOIA responses in GSA's regional offices were transferred to the GSA headquarters FOIA office. The consolidation of these FOIA functions better organized the staff for direct reporting to the GSA Chief FOIA Officer. Employees who previously were not counted as "Full-Time staff," but rather were scattered throughout the Agency now report directly to the GSA FOIA Program.

	PERSONNEL COSTS					
	Number of "Full-Time FOIA Employees"	Number of "Equivalent Full-Time FOIA Employees"	Total Number of "Full-Time FOIA Staff"	Processing Costs	Litigation-Related Costs	Total Costs
Agency Overall 2012	35		8	\$2,400,000	\$6,500	\$2,406,500
Agency Overall 2013	<b>11</b>		<b>23</b>	<b>\$2,960,000</b>	<b>\$11,500</b>	<b>\$2,971,500</b>

## X: GSA Fees Collected for Processing Requests

	Total Amount of Fees Collected	Percentage of Total Costs
Agency Overall 2012	\$50,071.79	2.09
Agency Overall 2013	<b>\$49,752.95</b>	<b>1.68</b>

## XI: GSA FOIA Regulations

[http://www.access.gpo.gov/nara/cfr/waisidx\\_01/41cfr105-60\\_01.html](http://www.access.gpo.gov/nara/cfr/waisidx_01/41cfr105-60_01.html)

## XII. Backlogs, Consultations, and Comparisons

### XII.A: GSA Backlogs, Consultations and Comparisons

#### A. Backlogs of FOIA Requests and Administrative Appeals

	Number of Backlogged Requests as of End of Fiscal Year	Number of Backlogged Appeals as of End of Fiscal Year
Agency Overall 2012	56	4
Agency Overall 2013	<b>60</b>	<b>2</b>

**XII. B: GSA Consultations on FOIA Requests – Received, Processed, and Pending Consultations**

	Number of Consultations Received from Other Agencies that Were <u>Pending</u> at GSA as of <u>Start</u> of the Fiscal Year	Number of Consultations <u>Received</u> from Other Agencies During the Fiscal Year	Number of Consultations Received from Other Agencies that Were <u>Processed</u> by GSA During the Fiscal Year	Number of Consultations Received from Other Agencies that Were <u>Pending</u> at GSA as of <u>End</u> of the Fiscal Year
Agency Overall 2012	0 0		0	0
Agency Overall 2013	<b>0 0</b>		<b>0</b>	<b>0</b>

**XII.C: Consultations on FOIA Requests – Ten Oldest Consultations Received from Other**

	10 <sup>th</sup> Oldest Consultation and Number of Days Pending	9 <sup>th</sup>	8 <sup>th</sup>	7 <sup>th</sup>	6 <sup>th</sup>	5 <sup>th</sup>	4 <sup>th</sup>	3 <sup>rd</sup>	2 <sup>nd</sup>	Oldest Consultation and Number of Days Pending
Agency Overall 2012	Number of Days	0	0	0	0			0	0	0
Agency Overall 2013	<b>Number of Days</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>			<b>0</b>	<b>0</b>	<b>0</b>

**XII.D. (1): GSA Comparison of Numbers of GSA Requests from Previous and Current Annual Report – Requests Received, Processed, and Backlogged**

	Number of Request Received		Number of Requests Processed	
	Number Received During Fiscal Year from Last Year's Annual Report	Number Received During Fiscal Year from Current Annual Report	Number Processed During Fiscal Year from Last Year's Annual Report	Number Processed During Fiscal Year from Current Annual Report
Agency Overall 2012	1564 1	690	1677	1773
Agency Overall 2013	<b>1,690 1,</b>	<b>352</b>	<b>1,773</b>	<b>1,318</b>

**XII.D. (2): GSA Comparison of Number of Requests Backlogged**

	Number of Backlogged Requests as of End of the Fiscal Year from Previous Annual Report	Number of Backlogged Requests as of End of the Fiscal Year from Current Annual Report
Agency Overall 2012	21 56	
Agency Overall 2013	<b>56 60</b>	

**XII.E.(1): Comparison of Numbers of GSA Administrative Appeals from Previous and Current Annual Report – Appeals Received, Processed, and Backlogged**

	Number of Appeals Received		Number of Appeals Processed	
	Number Received During Fiscal Year from Last Year's Annual Report	Number Received During Fiscal Year from Current Annual Report	Number Processed During Fiscal Year from Last Year's Annual Report	Number Processed During Fiscal Year from Current Annual Report
Agency Overall 2012	22 33		21	28
Agency Overall 2013	33 21		28	23

**XII.E. (2): GSA Comparison of Number of Administrative Appeals Backlogged**

	Number of Backlogged Appeals as of End of the Fiscal Year from Previous Annual Report	Number of Backlogged Appeals as of End of the Fiscal Year from Current Annual Report
Agency Overall 2012	3 4	
Agency Overall 2013	4 2	

## **APPENDIX A: GSA Organization Overview**

### **GSA Leadership Directory**

Organization chart showing structure of GSA leadership.

### **Office of the Administrator**

The administrator's office oversees the operations and management of GSA ([administrator's bio](#)).

### **Federal Acquisition Service**

FAS supports the mission of government agencies by delivering comprehensive products and services across government at best value possible.

### **Public Buildings Service**

PBS provides superior workplaces for federal customer agencies at good economies to the American taxpayer.

### **Office of Government-wide Policy**

OGP ensures that government-wide policies encourage agencies to develop and use the best and most cost-effective management practices for the conduct of their specific programs.

### **Office of the Chief Financial Officer**

OCFO ensures that GSA operates in a compliant and efficient manner by leading GSA financial management operations with integrity and accountability.

### **Office of the Chief People Officer**

OCPO contributes to GSA's business success by providing human capital management strategies, policies, advice, information, services and solutions that are consistent with merit system principles.

### **Office of the Chief Information Officer**

OCIO establishes the policies and procedures that govern the use of IT at GSA and are responsible for monitoring and reporting on its compliance with laws, regulations, orders and directives. OCIO services enable GSA's mission.

### **Congressional and Intergovernmental Affairs**

CIA serves as an adviser to the administrator and supervises and maintains agency liaison with all members of Congress and congressional committees.

### **Office of Citizen Services and Innovative Technologies**

OCSIT serves as the nation's focal point for data information and services offered by the federal government to citizens.

### **Office of Communications and Marketing**

OCM focuses on conveying information about GSA to federal employees and external audiences, including the media, agency customers, stakeholders, and the American public.

### **Office of Small Business Utilization**

OSBU promotes increased access to GSA's nationwide procurement opportunities.

### **Office of General Counsel**

OGC provides sound and timely legal advice and representation to GSA clients to enhance their ability to help federal agencies better serve the public by offering, at best value, superior workplaces, expert solutions, acquisition services, and management policies.



**Office of Civil Rights**

OCR ensures equal opportunities and nondiscrimination in GSA programs and activities.

**Office of Emergency Response and Recovery**

OERR serves as the agency-wide lead for continuity of operations/government, disaster policy, planning support, and operational coordination; and special security programs.

**Office of Inspector General**

OIG promotes economy, efficiency, and effectiveness within GSA and works to prevent and detect fraud, waste, and abuse in the agency's programs and operations.

**Board of Contract Appeals**

BCA hears and decides contract disputes between government contractors and executive agencies.

## **APPENDIX B: GSA Contacts**

GSA Office of the Administrator  
(202) 501-0800  
daniel.tangherlini@gsa.gov

Office of the FAS Commissioner  
(703) 605-5400  
tom.sharpe@gsa.gov

Office of the PBS Commissioner  
(202) 501-1100  
dorothy.robyn@gsa.gov

Office of OGP Associate Administrator  
(202) 501-8880  
anne.rung@gsa.gov

GSA Chief Financial Officer  
(202) 501-1721  
michael.casella@gsa.gov

Office of the Chief People Officer  
(202) 501-0398  
tony.costa@gsa.gov

Office of the Chief Information Officer  
(202) 501-1000  
casey.coleman@gsa.gov

Office of Congressional and Intergovernmental Affairs  
(202) 501-0563  
lisa.austin@gsa.gov

Office of Citizen Services and Innovative Technologies  
(202) 501-0705  
david.mcclure@gsa.gov

Office of Communications and Marketing  
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Office of Small Business Utilization  
(202) 501-1021  
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Office of General Counsel  
(202) 501-2200  
kris.durmer@gsa.gov

Office of Civil Rights  
(202) 501-0767  
madeline.caliendo@gsa.gov

Office of Emergency Response and Recovery  
(202) 501-0012  
robert.carter@gsa.gov

Office of Inspector General  
(202) 501-0450  
brian.miller@gsa.gov

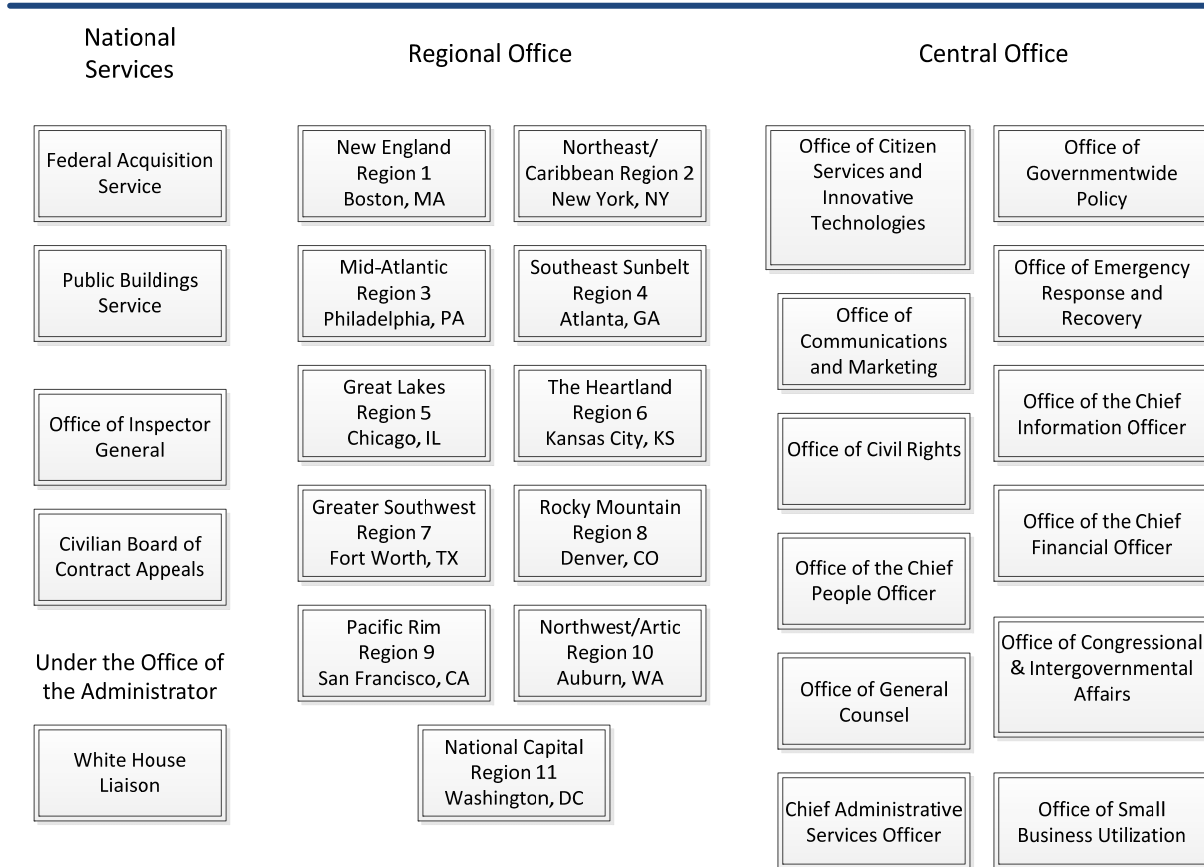
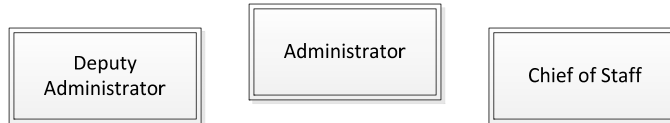
*\*All FOIA requests for GSA Office of Inspector General (OIG) documents must be sent to:*  
OIGFOIA-PrivacyAct@gsaig.gov

OIG Public Affairs Officer  
(202) 219-1062  
OIG\_PublicAffairs@gsa.gov

Civilian Board of Contract Appeals  
(202) 606-8800  
stephen.daniels@gsa.gov

## APPENDIX C: Organization of the U. S. General Service Administration

### Organization of the U. S. General Service Administration



## **APPENDIX D: Names, Address, and Contact Information**

### **GSA Freedom of Information Act (FOIA) Office**

Ms. Cynthia A. Metzler  
Chief Freedom of Information Officer  
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Mr. Ralph L. Boldt  
FOIA Public Liaison  
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Mr. Travis Lewis  
FOIA Requester Service Center  
FOIA Program Manager  
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FOIA Requester Service Center (H1C)  
1800 F. Street, NW, Room 7308  
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Toll Free: 1-855-675-FOIA  
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