



**U.S. General Services Administration
Chief Freedom of Information Act Officer
Report for 2016**

Message from the Chief Freedom of Information Act Officer



I am pleased to issue the U.S. General Services Administration's (GSA) 2016 Chief Freedom of Information Act (FOIA) Officer Report.

GSA continues respond to FOIA requests in a timely and accurate manner. Through the implementation of technology and education, the GSA leadership has furthered our commitment to principals of Open Government, including transparency, access and collaboration with our FOIA requesters. During this reporting period, GSA has posted more information online for general public access than ever before in our history. As we continue to review our processes and streamline our approaches, our goal is to provide the highest quality customer service to our federal partners and the American public.

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Contents

I. Steps Taken to Apply the Presumption of Openness	3
II. Steps Taken to Ensure that Your Agency Has an Effective System in Place for Responding to Requests	7
III. Steps Taken to Increase Proactive Disclosures	9
IV. Steps Taken to Greater Utilize Technology	12
V. Steps Taken to Improve Timeliness in Responding to Requests and Reduce Backlogs.....	15
Use of FOIA’s Law Enforcement “Exclusions”	20
Spotlight on Success.....	20

Section I: Steps Taken to Apply the Presumption of Openness

The guiding principle underlying the President's **FOIA Memorandum** and the Attorney General's **2009 FOIA Guidelines** is the presumption of openness.

GSA views all FOIA release decisions through a prism of openness. GSA's approach is predisposed towards disclosure in the review and release of documents. The agency's policies require discretionary disclosures whenever possible and provide that:

"GSA will not withhold a record unless there is a compelling reason to do so; i.e., disclosure will likely cause harm to Governmental or private interest. In the absence of a compelling reason, GSA will disclose a record even if it otherwise is subject to exemption." (41 C.F.R. 105-60.103-2)

Multiple steps ensure that the presumption of openness is being applied to all decisions involving FOIA at GSA. GSA program offices are responsible for searching for, locating, and reviewing the responsive records. Once the records are located, GSA FOIA professionals collaborate with the GSA program office subject matter experts (SMEs) to examine the documents and make an initial determination whether there is a compelling reason to withhold information. GSA program office managers perform a secondary assessment of the records being withheld, the proposed redactions and justifications for withholding any parts of the records. Any proposed redaction or withholding of any part of the records requires concurrence from the responsible GSA program officials and the Office of General Counsel prior to release to the requester.

If there is no compelling reason to withhold information, the record is released.

FOIA Training:

1. Did your agency conduct FOIA training during the reporting period for FOIA professionals?

Yes, the GSA Freedom of Information Act (FOIA) Requester Service Center conducted several types of FOIA training for GSA employees whose roles and responsibilities involve the FOIA. The GSA Freedom of Information Act (FOIA) Requester Service Center made several Regional site visits nationwide to conduct in-person FOIA training, as well visiting many GSA office and program staff meetings at GSA Central Office to provide FOIA training. We also held webinar training sessions throughout the year to certain key segments of GSA employees that have involvement on GSA Freedom of Information requests.

2. If yes, please provide a brief description of the type of training conducted and the topics covered.

The GSA FOIA Requester Service Center held in-person and webinar training several times throughout this reporting period. Training topics included:

- History and Purpose of the FOIA
- Agency and specific GSA office responsibilities of the FOIA laws and regulations
- GSA FOIA Processing and the GSA FOIA Handbook overview

- Requestor Confidential Commercial Information (for our many contract and acquisition-related FOIA requests)
- FOIA Application and Exemptions
- Preparation of response letters, as well as a practical demonstration of performing redactions in Adobe Professional software and FOIA exemption training
- FOIAonline System Application Training

3. If no, please explain why your agency did not hold training during the reporting period, such as if training offered by other agencies was sufficient for your agency's training needs.

Not applicable.

4. Did your FOIA professionals attend any FOIA training or conference during the reporting period such as that provided by the Department of Justice?

Yes, GSA FOIA professionals attended a variety of FOIA courses. Those course titles include:

- "Freedom of Information and Privacy Acts" training offered by the Graduate School USA;
- FOIA training provided at the American Society of Access Professionals 2015 National Conference held in the Washington, DC area (Arlington, VA);
- "The Freedom of Information Act for Attorneys and Access Professionals" offered by Department of Justice;
- Best Practices Workshops offered by the Department of Justice
 - "Best Practices from the Requester's Perspective"
 - "Implementing Technology to Improve FOIA Processing"
 - "Customer Service and Dispute Resolution".

5. Provide an estimate of the percentage of your FOIA professionals and staff with FOIA responsibilities who attended substantive FOIA training during this reporting period.

All of the GSA FOIA professionals attended a substantive FOIA training during this reporting period. Approximately 85% to 90% of program office SMEs that assist on GSA FOIA request processing attended some sort of substantive FOIA training as well.

6. OIP has **directed agencies** to "take steps to ensure that all of their FOIA professionals attend substantive FOIA training at least once throughout the year." If your response to the previous question is that less than 80% of your FOIA professionals attended training, please explain your agency's plan to ensure that all FOIA professionals receive or attend substantive FOIA training during the next reporting year.

Not applicable. FOIA training was a major focus area to GSA over this past reporting period to ensure GSA employees that work on FOIA request activities have proper training provided.

Outreach:

7. Did your FOIA professionals engage in any outreach or dialogue with the requester community or open government groups regarding your administration of the FOIA?

Yes, GSA FOIA professionals conducted significant outreach and partnered with several different segments of our FOIA requesters and open government groups to improve the FOIA administration process and to increase access to information more timely and efficient manner. This included the improvement and quality of GSA's proactive posting. Due to the nature of the services that GSA provides, we have similar and sometimes numerous requests for data sets and information regarding topics such as Federal leased and owned real estate and office space, Federal vehicle fleet services, Federal acquisition data, Federal government employee travel and purchase card data, etc. GSA FOIA professionals oftentimes reach out to these requesters that are interested this information on ways that the agency can more effectively and proactively transmit and post information for access on a permanent or cyclical basis. GSA FOIA professionals also do not hesitate to contact FOIA requesters on their requests to discuss scoping, phased approaches and partial releases, and to determine and gain an understanding of exactly what is being requested in order to assist them in gaining this information in the most effective and efficient manner.

8. If you did not conduct any outreach during the reporting period, please explain why.

Not applicable.

Discretionary Releases:

9. Does your agency have a distinct process or system in place to review records for discretionary release?

Yes, GSA has a distinct process in place to review records for discretionary release.

- If so, please briefly describe this process.

Under a centralized structure, the GSA Subject Matter Expert (SME) performs the initial review and determination about the records and the appropriate disposition. Once the SME has made a determination, he or she consults with a FOIA professional. The SME and FOIA professional must reach an agreement regarding the release before the determination and records are forwarded to the GSA Office of General Counsel (OGC). OGC reviews the documents and determination. OGC must provide approval and concurrence prior to the GSA FOIA Program Manager approving release to the requester.

In the absence of a compelling reason, GSA will disclose a record even if it otherwise is subject to exemption (41 C.F.R. 105-60.103-2).

- If your agency is decentralized, please specify whether all components of your agency have such a process or system in place?

Not applicable. GSA's FOIA operations are centralized.

10. During the reporting period, did your agency make any discretionary releases of information?

Yes, GSA did make discretionary releases during the reporting period. GSA's offices operate under the presumption of openness, with an approach predisposed toward disclosure in the review and release of documents.

11. What exemption(s) would have covered the material released as a matter of discretion? For a discussion of the exemptions that allow for discretionary releases, please see OIP's guidance on [implementing the President's and Attorney General's 2009 FOIA Memoranda](#).

The material released would have been covered by the fifth statutory exemptions under FOIA, 5 U.S.C. § 552(b)(5).

12. Provide a narrative description, as well as some specific examples, of the types of information that your agency released as a matter of discretion during the reporting year.

The type of information released as a matter of discretion included records that contained information regarding the agency's deliberative process. The releases are made after conducting an analysis for foreseeable harm, per the guidance provided by the DOJ - Office of Information Policy and the memoranda issued by the President and the Attorney General. Example of these types of releases during this reporting period include memorandum of internal agency policies and procedures, including accompanying emails regarding the functioning of GSA programs. Programs highlighted in these discretionary releases include internal process and procedure information releases on GSA's Fleet Management, Federal Building Leasing, general acquisition, and Property Disposal programs.

13. If your agency was not able to make any discretionary releases of information, please explain why. For example, you should note here if your agency did not have an opportunity to make discretionary disclosures because you provided full releases in response to all requests or the only exemptions that were applied were those that do not lend themselves to discretionary release (i.e. Exemptions 1, 3, 4, 6, 7A, 7B, 7C, 7F).

Not Applicable.

Other Initiatives:

14. Describe any efforts your agency has undertaken to inform non-FOIA professionals of their obligations under the FOIA.

GSA has under-taken several communication and outreach methods to inform non-FOIA professionals of their obligations under the FOIA. GSA employees are continually made aware that FOIA is every employee's responsibility. GSA FOIA professionals engage GSA's non-FOIA professionals through a variety of outreach meetings and training sessions, as well as presenting at assigned Directors and GSA Office and Division staff meetings. During these times, FOIA professionals are able to reiterate the importance of FOIA responsibilities as well as provide necessary training and updates. Additionally, the GSA Chief FOIA Officer sends out memorandums with updates and key information regarding FOIA processes and responsibilities in a continued effort to ensure accountability of the FOIA program at GSA.

Also, during this reporting period, the GSA FOIA professionals revised and reissued the agency-wide GSA FOIA Handbook and Desk guide, as well as developed and issued an internal FOIA Service Level Expectation (SLE) document which covers the agreed responsibilities and required actions and services provided by agency FOIA SMEs and the GSA FOIA Requester Service Center to successfully administer the FOIA regulations and provide GSA FOIA requesters excellent customer service and timely responses to FOIA requests.

15. If there are any other initiatives undertaken by your agency to ensure that the presumption of openness is being applied, please describe them here.

The GSA FOIA Requester Service Center has continued to partner with the GSA Open Government Team to identify information and government-wide data sets that can be proactively shared on the internet prior to a FOIA request. Some examples of GSA proactive postings of data sets at GSA include:

- GSA Acquisition Hallways - hallways.cap.gsa.gov/
- SAM.gov – System for Award Management data
- FBO.gov – Federal Business Opportunities
- FMI.gov – Facilities Management Institute
- Publications.USA.gov
- Electronic Waste Disposal (eWaste)
- Federal Awardee Performance and Integrity Information System (FAPIIS)
- GSA Lease Inventory - <http://www.gsa.gov/portal/content/101840>

Section II: Steps Taken to Ensure that Your Agency Has an Effective System in Place for Responding to Requests

The Attorney General's **2009 FOIA Guidelines** emphasized that "[a]pplication of the proper disclosure standard is only one part of ensuring transparency. Open government requires not just a presumption of disclosure, but also an effective system for responding to FOIA requests." It is essential that agencies effectively manage their FOIA program.

Please answer the following questions to describe the steps your agency has taken to ensure that the management of your FOIA program is effective and efficient. You should also include any additional information that that describes your agency's efforts in this area.

Processing Procedures:

1. For Fiscal Year 2015, what was the average number of days your agency reported for adjudicating requests for expedited processing? Please see Section VIII.A. of your agency's Fiscal Year 2015 Annual FOIA Report.

GSA reported and average of 1.32 days for adjudicating requests for expedited processing.

- Please note here if your agency did not adjudicate any requests for expedited processing during Fiscal Year 2015.

Not Applicable, GSA adjudicated requests for expedited processing in Fiscal Year 2015.

- 2. If your agency's average number of days to adjudicate requests for expedited processing was above ten calendar days, please describe the steps your agency will take to ensure that requests for expedited processing are adjudicated within ten calendar days or less.

Not Applicable.

3. If your agency has a decentralized FOIA process, has your agency taken steps to make the routing of misdirected requests within your agency more efficient? If so, please describe those steps.

Not Applicable.

- If your agency is already handling the routing of misdirected requests in an efficient manner, please note that here and describe your process for these requests.

GSA has an efficient process to handle misdirected requests. GSA's FOIA intake process is very centralized and all requests come into the Central Office FOIA Service Requester Center.

GSA FOIA professionals work very closely with GSA SMEs to ensure proper internal routing of a FOIA request within the agency for processing. If a FOIA professional locates a misdirected request, the FOIA professional quickly performs research to get the request assigned to the proper office for efficient processing.

4. On July 2, 2015, OIP issued **new guidance** to agencies on the proper procedures to be used in the event an agency has a reason to inquire whether a requester is still interested in the processing of his or her request. Please confirm here that to the extent your agency may have had occasion to send a "still interested" inquiry, it has done so in accordance with the new guidelines for doing so, including affording requesters thirty working days to respond.

GSA has an efficient process to reach out to requesters on occasion to send a "still interested" inquiry. GSA FOIA professionals follow the guidance and proper procedures per the July 2, 2015 newly issued guidance from OIP.

Requester Services:

5. Agency FOIA Requester Service Centers and FOIA Public Liaisons serve as the face and voice of an agency. In this capacity they provide a very important service for requesters, informing them about how the FOIA process works and providing specific details on the handling of their individual requests. The FOIA also calls on agency FOIA Requester Service Centers and FOIA Public Liaisons to assist requesters in resolving disputes. Please explain here any steps your agency has taken to strengthen these services to better inform requesters about their requests and to prevent or resolve FOIA disputes.

GSA's FOIA Requester Service Center and FOIA Public Liaisons take their roles very seriously, and serve both professionally and publically as the face and voice of GSA to the general public. Our FOIA professionals are very knowledgeable on the FOIA process and take every opportunity when interacting with the public to explain how the FOIA process works and provide specific

details and timelines explanation on the handling of their individual requests. The rare times that disputes occur, the GSA FOIA Requester Service Center and FOIA Public Liaison step right in to work on resolving disputes.

GSA has continued to improve in this area by taking a proactive approach to reaching out to the requester very early in the FOIA process. GSA is working proactively to reduce and mitigate potential disputes. By thoroughly explaining the FOIA process; working with the requesters to help craft and modify the scope of the request to pin down exactly what the requester is specifically looking for; explaining the fees assessed, and how the agency will work with them to get that information to them proves to be extremely helpful to the general public.

If your agency has not taken any steps recently to strengthen these services, either because there has been no need to due to low demand or because these services are already robust, please briefly explain that that here.

Not Applicable.

Other Initiatives:

6. If there are any other steps your agency has undertaken to ensure that your FOIA system operates efficiently and effectively, such as conducting self-assessments to find greater efficiencies, improving search processes, eliminating redundancy, etc., please describe them here.

Fiscal Year 2015 was the first full year of GSA FOIA process operation with the FOIAOnline system. The GSA FOIA Requester Center continued reviewing the FOIA process to eliminate redundancies and inefficiencies. In addition, the GSA FOIA professionals partnered with the GSA Office of the Chief Information Officer and Office of General Counsel to continue development and implementation of more innovative technological solutions to increase the accuracy and timeliness of e-discovery data pulls. These implemented measures have increased our FOIA process efficiency, decreased duplication and redundancy and increased customer satisfaction with GSA FOIA requesters.

Section III: Steps Taken to Increase Proactive Disclosures

Both the **President's** and **Attorney General's** FOIA memoranda focused on the need for agencies to work proactively to post information online without waiting for individual requests to be received.

Please answer the following questions to describe the steps your agency has taken to increase the amount of material that is available on your agency websites. In addition to the questions below, you should also describe any additional steps taken by your agency to make and improve proactive disclosures of information.

Posting Material:

1. Describe your agency's process or system for identifying "frequently requested" records required to be posted online under Subsection (a)(2) of the FOIA. For example, does your agency monitor its FOIA logs or is there some other system in place to identify these records for posting.

Beginning in Fiscal Year 2015, GSA began to post almost all released FOIA requests responses online regardless of if they are "frequently requested" records or not.

2. Does your agency have a distinct process or system in place to identify other records for proactive disclosure? If so, please describe your agency's process or system.

- Please note that this question is directed towards proactive disclosure of records that go beyond frequently requested records required to be posted under Subsection (a)(2) of the FOIA.

Yes, there is collaboration between many offices at GSA in the proactive posting process. FOIA professionals work with the Open Government/Open Data Office, the Office of General Counsel and the program offices throughout GSA that manage the requested information – such as the Federal Acquisition Service, the Public Buildings Service, and the Office of Governmentwide Policy. After information is identified for proactive posting for the benefit of the general public, there is a review and concurrence process established between these offices to ensure that the posted information adheres to all applicable laws. For datasets posted, any updates on a monthly, quarterly or annual basis are posted as applicable. Many of these data sets are also posted on data.gov for easy public access.

Additionally, starting in Fiscal Year 2015, GSA's use of the FOIAonline system has allowed for most of the information requested to be released to the FOIAonline website general public access.

3. When making proactive disclosures of records, are your agency's FOIA professionals involved in coding the records for Section 508 compliance or otherwise preparing them for posting? If so, provide an estimate of how much time is involved for each of your FOIA professionals and your agency overall.

- Please note that this question is directed at the efforts of actually posting the records online once all disclosure determinations have been made. For example, efforts to load the records in your web content platform or making the releasable documents accessible in compliance with Section 508 of the Rehabilitation Act.

Occasionally FOIA professionals are directly involved in the coding of records for Section 508 compliance prior to posting. The overall time that FOIA professionals spend directly on 508 compliance and preparation is now very minimal. GSA's overall efforts to make proactive posting a priority agencywide have decreased the effort required on the FOIA professionals as systems and processes have been implemented to assist with the 508 and posting processes.

4. Has your agency encountered challenges that make it difficult to post records you otherwise would like to post?

No, not during this reporting period.

5. If so, please briefly explain those challenges.

Not Applicable.

6. Provide examples of material that your agency has proactively disclosed during the past reporting year, including links to the posted material.

Beginning in Fiscal Year 2015, GSA began to disclose all FOIA information request responses that have a broad general public appeal on the FOIAonline online application or specific GSA managed websites.

Additionally, here some highlights of material that GSA has proactively posted/disclosed during the past reporting year:

- Federal Fleet Report: Annual report of Federal agencies' motor vehicle fleet data collected in the Federal Automotive Statistical Tool (FAST), a web-based reporting tool cosponsored by GSA and the Department of Energy. The Federal Fleet Report is a year-end snapshot of motor vehicle fleet inventory, cost, and use data from agency data submissions, and the resulting data tables are available in these datasets.
 - Site: <http://catalog.data.gov/dataset/federal-fleet-report>
- Small Business Dashboard: The Small Business Dashboard keeps track of the progress GSA is making meeting its small business goals and information regarding small business contracts.
 - Site: <http://smallbusiness.data.gov/>
- Sustainable Facilities Tool: The Sustainable Facilities Tool is a one-stop online resource to support decision-making regarding sustainable building principles, materials and systems.
 - Site: <http://sftool.gov>
- Federal Advisory Committee Act (FACA) Transparency: The FACA site utilizes pull down menus and the responses to a number of preset queries to allow the public to view information on advisory committee costs, meetings, membership, contact information and links to the web sites of many of the individual Federal Advisory Committees.
 - Site: <http://www.gsa.gov/portal/category/101111>
- Capital Investment and Leasing Program Prospectus Library: GSA's Capital Investment and Leasing Program Prospectus Portal is an electronic repository for prospectus related actions. The library contains information on repair, alteration and modernization; construction and acquisition; design; leases and the various locations and buildings within the GSA portfolio.
 - Site: <http://www.gsa.gov/portal/content/185089>
- Federal Business Opportunities (FBO): The FPOpen website is a simple, Google-style page where one can search for available federal contracts, grants and other opportunities.
 - Site: <http://www.fbo.gov>
- GSA eLibrary Schedules and Contracts: GSA eLibrary (formerly Schedules e-Library) is the online source for the latest contract award information for: GSA Schedules; Department of Veterans Affairs (VA) Schedules; and Technology Contracts, including Governmentwide Acquisition Contracts (GWACs), Network Services and Telecommunications Contracts, and Information Technology (IT) Schedule 70. This data

contains all the current contracts under those contract vehicles and their respective schedule, special item number information.

- Site: <http://catalog.data.gov/dataset/gsa-elibrary-schedules-and-contracts>
- Fine Arts Database: The Fine Arts Database records information on federally owned art in the control of the GSA; this includes the location, current condition and information on artists.
 - Site: <http://catalog.data.gov/dataset/fine-arts-database-fad>

7. Did your agency use any means to publicize or highlight important proactive disclosures for public awareness? If yes, please describe those efforts.

Yes, GSA's Office of Citizen Services and Innovative Technologies (OCSIT) leads GSA-wide efforts to publicize and highlight agency proactive disclosures. This office provides support to all GSA offices in ensuring that the necessary data, information services and other available information managed or offered by the Federal government and GSA is publicized. Social Media, website updates and informational blogs are used to disseminate, communicate and market these proactive informational disclosures. GSA also ensures that the best methodologies to communicate this information are being applied and the newest technologies are utilized to increase the efficiency of the transmission and useful management of this information.

Other Initiatives:

8. If there are any other steps your agency has taken to increase proactive disclosures, please describe them here.

All steps have been described in the above section.

Section IV: Steps Taken to Greater Utilize Technology

A key component of the President's **FOIA Memorandum** was the direction to "use modern technology to inform citizens about what is known and done by their Government." In addition to using the internet to make proactive disclosures, agencies should also be exploring ways to utilize technology in responding to requests.

Please answer the following questions to describe how your agency is utilizing technology to improve its FOIA administration and the public's access to information. You should also include any additional information that that describes your agency's efforts in this area.

Making Material Posted Online More Usable:

1. Beyond posting new material, is your agency taking steps to make the posted information more useable to the public, especially to the community of individuals who regularly access your agency's website?

Yes, GSA is making posting information more useable to the public.

2. If yes, please provide examples of such improvements.

In addition to posting the information and data sets to the web for public access, GSA provides several innovative features to assist the public to access, view, and analyze provided information and data sets. Many of GSA's publically available information is posted in a format that the user can perform analysis, view charts, graphs, tables and see historical trends either quarterly or annually as most appropriate. Some of the nationwide data has information broken down by region of the country, by metropolitan area including demographical information in many cases and include a background or instructions on what the information is covering and how to understand what is being presented. Many of the posted information pages solicit feedback on the usefulness of the information and provide the opportunity for the user of the information to suggest ways that the information can be presented differently in any way that may be more useable. In general, GSA websites that host this information have just undergone a major upgrade to increase compatibility with mobile devices.

3. Have your agency's FOIA professionals interacted with other agency staff (such as technology specialists or public affairs or communications professionals) in order to identify if there are any new ways to post agency information online?

Yes, GSA FOIA professionals have partnered with technology specialists and open government professionals in order to maximize opportunities to post and share GSA information and data sets online.

Use of Technology to Facilitate Processing of Requests:

4. Did your agency conduct training for FOIA staff on any new processing tools during the reporting period, such as for a new case management system, or for search, redaction, or other processing tools.

Yes, GSA trained its FOIA professionals on technology improvements and upgrades during this reporting period. The agency migrated to FOIAonline this year and ample training was provided on this transition and operational change with GSA's FOIA case management processing system. Additionally, there was training on 508 compliance, website and HTML training, Adobe Professional and redaction training. There was also additional training on using the Google suite of technological programs and the Google drive document sharing applications during this reporting period.

5. Beyond using technology to redact documents, is your agency taking steps to use more advanced technology to facilitate overall FOIA efficiency, such as improving record search capabilities, utilizing document sharing platforms for consultations and referrals, or employing software that can sort and de-duplicate documents? If yes, describe the technological improvements being made.

Yes, GSA continues to explore emerging technological solutions available to further increase overall FOIA efficiency and information sharing. GSA's FOIAonline system helps facilitate record searching, sorting, and electronic document sharing capabilities between GSA employees nationwide.

Over the past year, GSA implemented new electronic discovery (e-discovery) software for email gathering. The new software eliminated the difficulties that the caused by utilizing multiple email service providers.

In addition, GSA FOIA professionals utilize Google Groups and Google Drive to organize and gather responsive documents for large and voluminous requests. These software applications help the GSA FOIA professionals to facilitate a collaborative environment for sharing, reviewing, and redacting information. Using these applications reduces the response times for voluminous or complex FOIA requests.

6. Are there additional tools that could be utilized by your agency to create further efficiencies?

No, at this time GSA is using all available technologies.

Other Initiatives:

7. Did your agency successfully post all four quarterly reports for Fiscal Year 2015?

Yes.

8. If your agency did not successfully post all quarterly reports, with information appearing on FOIA.gov, please explain why and provide your agency's plan for ensuring that such reporting is successful in Fiscal Year 2016.

Not Applicable.

9. Do your agency's FOIA professionals use e-mail or other electronic means to communicate with requesters whenever feasible? *See OIP Guidance, "The Importance of Good Communication with FOIA Requesters 2.0: Improving Both the Means and the Content of Requester Communications."* (Nov. 22, 2013) If yes, what are the different types of electronic means that are utilized by your agency to communicate with requesters?

Yes, GSA's FOIA professionals use *FOIAonline*, e-mail, telephone and facsimile to communicate with requesters.

FOIAonline allows agencies to communicate with requesters in several ways. If a requester provides a valid email, they will receive notifications for any significant output such as a determination or electronic release of records along with any communication issued by the agency. The requester can respond to communications which are received by the agency at level they determine to be appropriate. If the requester creates an account, they have the added benefit of accessing a dashboard with the status of their request(s) upon log in, as well as being able to withdraw their request electronically and to receive their requested records exclusively for their access and which are not parts of the general release to the public. If a requester does not have an account or provide an email, they are still able to access their request to check on its status during the FOIA preparation process.

- If decentralized, please indicate whether all components use email or other electronic means to communicate with requesters.

Not Applicable.

10. If your agency does not communicate electronically with requests as a default, are there any limitations or restrictions for the use of such means? If yes, does your agency inform requesters about such limitations? *See id.*

Not Applicable.

If decentralized, please indicate whether any of your agency's components have specific limitations or restrictions for the use of such means and if those components have informed requesters of such limitations.

Not Applicable.

Section V: Steps Taken to Improve Timeliness in Responding to Requests and Reducing Backlogs

The President's **FOIA Memorandum** and the Attorney General's **2009 FOIA Guidelines** have emphasized the importance of improving timeliness in responding to requests. This section of your Chief FOIA Officer Report addresses both time limits and backlog reduction. Backlog reduction is measured both in terms of numbers of backlogged requests or appeals and by looking at whether agencies closed their ten oldest requests, appeals, and consultations.

For the figures required in this Section, please use the numbers contained in the specified sections of your agency's 2015 Annual FOIA Report and, when applicable, your agency's 2014 Annual FOIA Report.

Simple Track: Section VII.A of your agency's Annual FOIA Report, entitled "FOIA Requests – Response Time for All Processed Requests," includes figures that show your agency's average response times for processed requests. For agencies utilizing a multi-track system to process requests, there is a category for "simple" requests, which are those requests that are placed in the agency's fastest (non-expedited) track, based on the low volume and/or simplicity of the records requested.

1. Does your agency utilize a separate track for simple requests?

Yes.

2. If so, for your agency overall in Fiscal Year 2015, was the average number of days to process simple requests twenty working days or fewer?

No.

3. Please provide the percentage of requests processed by your agency in Fiscal Year 2015 that were placed in your simple track.

70 percent.

4. If your agency does not track simple requests separately, was the average number of days to process all non-expedited requests twenty working days or fewer?

No, the average number of days to process simple requests was 21.74 working days.

Backlogs: Section XII.A of your agency's Annual FOIA Report, entitled "Backlogs of FOIA Requests and Administrative Appeals" shows the numbers of any backlogged requests or appeals from the fiscal year. You should refer to these numbers from your Annual FOIA Reports for both Fiscal Year 2014 and Fiscal Year 2015 when completing this section of your Chief FOIA Officer Report.

BACKLOGGED REQUESTS

5. If your agency had a backlog of requests at the close of Fiscal Year 2015, did that backlog decrease as compared with the backlog reported at the end of Fiscal Year 2014?

Yes.

6. If not, explain why and describe the causes that contributed to your agency not being able reduce its backlog. When doing so, please also indicate if any of the following were contributing factors:

- An increase in the number of incoming requests.
- A loss of staff.
- An increase in the complexity of the requests received. If possible, please provide examples or briefly describe the types of complex requests contributing to your backlog increase.
- Any other reasons – please briefly describe or provide examples when possible.

Not Applicable.

7. If you had a request backlog please report the percentage of requests that make up the backlog out of the total number of requests *received* by your agency in Fiscal Year 2015.

- To calculate your agency's percentage, you must divide the number of backlogged requests reported in Section XII.A. of your Fiscal Year 2015 Annual FOIA Report by the number of requests received in Fiscal Year 2015, which can be found in Section V.A. of your Annual FOIA Report. Once divided, you can multiply that number by 100 to get the percentage.

5.6%.

BACKLOGGED APPEALS

8. If your agency had a backlog of appeals at the close of Fiscal Year 2015, did that backlog decrease as compared with the backlog reported at the end of Fiscal Year 2014?

Yes.

9. If not, explain why and describe the causes that contributed to your agency not being able reduce backlog.

Not Applicable.

10. If you had an appeal backlog please report the percentage of appeals that make up the backlog out of the total number of appeals *received* by your agency in Fiscal Year 2015. If your agency did not receive any appeals in Fiscal Year 2015 and/or has no appeal backlog, please answer with "N/A."

- To calculate your agency's percentage, you must divide the number of backlogged appeals reported in Section XII.A. of your Fiscal Year 2015 Annual FOIA Report by the number of appeals received in Fiscal Year 2015, which can be found in Section V.A. of your Annual FOIA Report. Once divided, you can multiply that number by 100 to get the percentage.

2.7%.

Backlog Reduction Plans:

11. In the **2015 guidelines for Chief FOIA Officer Reports**, any agency with a backlog of over 1,000 requests in Fiscal Year 2014 was asked to provide a plan for achieving backlog reduction in the year ahead. Did your agency implement a backlog reduction plan last year? If so, describe your agency's efforts in implementing this plan and note if your agency was able to achieve backlog reduction in Fiscal Year 2015.

Not Applicable.

12. If your agency had a backlog of more than 1,000 requests in Fiscal Year 2015, what is your agency's plan to reduce this backlog during Fiscal Year 2016?

Not Applicable.

Status of Ten Oldest Requests, Appeals, and Consultations: Section VII.E, entitled "Pending Requests – Ten Oldest Pending Requests," Section VI.C.(5), entitled "Ten Oldest Pending Administrative Appeals," and Section XII.C., entitled "Consultations on FOIA Requests – Ten Oldest Consultations Received from Other Agencies and Pending at Your Agency," show the ten oldest pending requests, appeals, and consultations. You should refer to these numbers from your Annual FOIA Reports for both Fiscal Year 2014 and Fiscal Year 2015 when completing this section of your Chief FOIA Officer Report.

TEN OLDEST REQUESTS

13. In Fiscal Year 2015, did your agency close the ten oldest requests that were reported pending in your Fiscal Year 2014 Annual FOIA Report?

Yes.

14. If no, please provide the number of these requests your agency was able to close by the end of the fiscal year, as listed in Section VII.E of your Fiscal Year 2014 Annual FOIA Report. If you had less than ten total oldest requests to close, please indicate that.

- For example, if you only had seven requests listed as part of your "ten oldest" in Section VII.E. and you closed six of them, you should note that you closed six out of seven "oldest" requests.

Not Applicable.

15. Of the requests your agency was able to close from your ten oldest, please indicate how many of these were closed because the request was withdrawn by the requester. If any were closed because the request was withdrawn, did you provide any interim responses prior to the withdrawal?

The ten oldest requests that GSA were able to close were all processed to completion and none were withdrawn by the requester.

TEN OLDEST APPEALS

16. In Fiscal Year 2015, did your agency close the ten oldest appeals that were reported pending in your Fiscal Year 2014 Annual FOIA Report?

Yes.

17. If no, please provide the number of these appeals your agency was able to close by the end of the fiscal year, as listed in Section VII.C.(5) of your Fiscal Year 2014 Annual FOIA Report. If you had less than ten total oldest appeals to close, please indicate that.

- For example, if you only had seven appeals listed as part of your "ten oldest" in Section VII.C.(5) and you closed six of them, you should note that you closed six out of seven "oldest" appeals.

Not Applicable.

TEN OLDEST CONSULTATIONS

18. In Fiscal Year 2015, did your agency close the ten oldest consultations that were reported pending in your Fiscal Year 2014 Annual FOIA Report?

Yes.

19. If no, please provide the number of these consultations your agency was able to close by the end of the fiscal year, as listed in Section XII.C. of your Fiscal Year 2014 Annual FOIA Report. If you had less than ten total oldest consultations to close, please indicate that.

- For example, if you only had seven consultations listed as part of your "ten oldest" in Section XII.C. and you closed six of them, you should note that you closed six out of seven "oldest" consultations.

Not Applicable.

Additional Information on Ten Oldest Requests, Appeals, and Consultations & Plans:

20. Briefly explain any obstacles your agency faced in closing its ten oldest requests, appeals, and consultations from Fiscal Year 2014.

The main obstacle GSA faced in closing the ten oldest requests/appeals/consultations was the voluminous nature of the oldest requests. These requests were mostly requests for large data sets, reports and/or a large amount of agency correspondence, which included retrievals from the GSA email system. These email retrievals take significant time to pull, review, redact and respond. The majority of

these ten oldest requests also involved gathering this information for multiple GSA Program Units across the Nation and coordinating a consistent and thorough response for the requester.

21. If your agency was unable to close any of its ten oldest requests because you were waiting to hear back from other agencies on consultations you sent, please provide the date the request was initially received by your agency, the date when your agency sent the consultation, and the date when you last contacted the agency where the consultation was pending.

Not Applicable.

22. If your agency did not close its ten oldest pending requests, appeals, or consultations, please provide a plan describing how your agency intends to close those "ten oldest" requests, appeals, and consultations during Fiscal Year 2016.

Not Applicable.

Interim Responses:

23. Does your agency have a system in place to provide interim responses to requesters when appropriate? See *OIP Guidance*, "[The Importance of Good Communication with FOIA Requesters](#)." (Mar. 1, 2010)

Yes, GSA has a process and system active to provide interim responses to requesters as appropriate. FOIAonline allows agencies to release requested records as they become available and are cleared for release. Multiple releases of records in response to a single request are described as "interim" releases which can be made at any time. Any release of records must follow the agency's review configuration, which may include a minimum number of reviewers that are different than the person assigned the request. This feature helps enforce a process to ensure records are adequately reviewed prior to their release.

24. If your agency had a backlog in Fiscal Year 2015, please provide an estimate of the number or percentage of cases in the backlog where a substantive, interim response was provided during the fiscal year, even though the request was not finally closed.

For the small backlog GSA had in Fiscal Year 2015, approximately 5% of cases in the backlog had a substantive, interim response was provided during the fiscal year, even though the request was not finally closed.

Use of the FOIA's Law Enforcement Exclusions

1. Did your agency invoke a statutory exclusion, 5 U.S.C. § 552(c)(1), (2), (3), during Fiscal Year 2015?

No.

2. If so, please provide the total number of times exclusions were invoked.

Not Applicable.

Success Story

Out of all the activities undertaken by your agency since March 2015 to increase transparency and improve FOIA administration, please briefly describe here at least one success story that you would like to highlight as emblematic of your agency's efforts. The success story can come from any one of the five key areas. As noted above, these agency **success stories** will be highlighted during Sunshine Week by OIP. To facilitate this process, all agencies should use bullets to describe their success story and limit their text to a half page. The success story is designed to be a quick summary of key achievements. A complete description of all your efforts will be contained in the body of your Chief FOIA Officer Report.

GSA FOIA successes since March 2015 have centered around increasing proactive postings and increasing transparency and proactive reporting on agency operations. Much of this are attributed to the migration and implementation of the FOIAonline system. The implementation of this system application has significantly increased transparency and overall improvement of FOIA administration.

A recent review from the National Security Archive of a Federal government-wide performed e-FOIA audit, found that most Federal agencies continue to fall short on mandates for online records. GSA was found to not be one of these, and in fact was recognized in the review as a FOIA "E-Star". Only 17 of the 99 agencies that are subject to FOIA were in fact recognized with this top honor based on the audit. GSA was recognized in this review by making past requests and releases searchable electronically via FOIAonline, and by making proactive postings to various other agency websites a routine activity.

By using the FOIAonline applications the general public can create user accounts, directly submit FOIA requests to all participating agencies, as well as search for requests that have already been submitted by and issued to other requesters. FOIAonline also allows for more transparency for the requesters to see the status of their requests and allows access to already previously released records.

Overall FOIA response times are decreasing, the accuracy of releases are increasing, and the access to real time status updates on specific FOIA requests are only a couple mouse clicks away from our requesters. FOIAonline is directly benefiting the general public by improving the timeliness and ease to which we are able to get the information to our customers. FOIAonline is also enabling GSA to more efficiently and effectively support the Open Government Initiative principles of transparency, participation and collaboration.