



**U.S. General Services Administration  
Chief Freedom of Information Act Officer  
Report for 2017**

**Name and Title of your Agency's Chief FOIA Officer:**

**Cynthia A. Metzler**

**Chief Freedom of Information Act Officer and Chief Administrative Services Officer**

**U.S. General Services Administration**

**Section 1: Steps Taken to Apply the Presumption of Openness**

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

Please answer the following questions in order to describe the steps your agency has taken to ensure that the presumption of openness is being applied to all decisions involving the FOIA. You may also include any additional information that illustrates how your agency is working to apply the presumption of openness.

**A. FOIA Training**

1. Did your FOIA professionals or the personnel at your agency who have FOIA responsibilities attend any FOIA training or conference during the reporting period such as that provided by the Department of Justice?

Yes.

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

- "Freedom of Information and Privacy Acts" training offered by the Graduate School USA;
- FOIA training provided at the American Society of Access Professionals 2016 National Conference held in the Washington, DC area;
- "The Freedom of Information Act for Attorneys and Access Professionals" offered by Department of Justice;
- 2016 Freedom of Information Act Improvement Act training offered by Department of Justice.

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

100% of our FOIA professionals and staff with FOIA responsibilities attended substantive FOIA training during this period.

4. 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.

## ***B. Outreach***

5. *OPTIONAL*: 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 requester population and open government groups to improve the FOIA administration. Specifically, GSA worked within our agency and external stakeholders to increase access to information in a more timely and efficient manner.

This reporting period contained much interest in the Presidential Transition and GSA's involvement in this activity. GSA FOIA coordinated with many members of the Media community to ensure that information of particular interest could be provided to them in a most effective manner.

Additionally, GSA FOIA requesters sought records related the requester particular segments of our requester community regarding our more traditional and cyclical activities. Due to the nature of the services that GSA provides, we receive similar and sometimes numerous requests for data sets and information regarding 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. Furthermore, GSA FOIA professionals do not hesitate to contact FOIA requesters on their requests to discuss a scoped, phased approach. GSA also provides partial, intermittent releases of documents as necessary when reviewing records that are voluminous. GSA FOIA professionals also regularly contact FOIA requesters gain an understanding of exactly what is being requested in order to assist them in obtaining this information is the most effective and efficient manner.

## ***C. Other Initiatives***

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

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. GSA employees are continually made aware that FOIA is every employee's responsibility. During these times, FOIA professionals are able to reiterate the importance of FOIA and Records Management 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 provided full FOIA and Records Management training to the Federal government employees that were selected to work on the Presidential Transition Teams.

7. 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/](http://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 DOJ'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.

**A. Processing Procedures**

1. For Fiscal Year 2016, 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 2016 Annual FOIA Report.

1.36 Days.

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. *OPTIONAL:* During the reporting period, did your agency conduct a self-assessment of its FOIA program? If so, please describe the methods used, such as reviewing Annual Report data, using active workflows and track management, reviewing and updating processing procedures, etc.

Yes, during the reporting period, GSA conducted informal program self-assessments, including a FOIA program risk analysis. This analysis included a review of overall cycle processing times, review of processing times of both simple and complex requests and efficiency metrics. The goal of this assessment was to establish baseline metrics and look for opportunities to improve processing and decrease total FOIA processing times.

4. Please provide an estimate of how many requests your agency processed in Fiscal Year 2016 that were from commercial use requesters. If your agency is decentralized, please identify any components within your agency that received a majority of their requests from commercial use requesters.

For FY 2016, it is estimated that approximately 500 agency FOIA requests were from commercial requesters.

### ***B. Requester Services***

5. *OPTIONAL*: Does your agency provide a mechanism for requesters to provide feedback about their experience with the FOIA process at your agency? If so, please describe the methods used, such as making the FOIA Public Liaison available to receive feedback, using surveys posted on the agency's website, etc.

Yes, GSA provides a several mechanisms for requesters to provide feedback about their FOIA process experiences. We have a GSA email inbox where comments and communication of any sort can be shared with our office. Also, we have a toll-free number available for those requesters who wish to call in to contact us. Additionally, we make our FOIA Public Liaison, FOIA Program Director and FOIA analysts available to receive feedback and assist on all aspects of the FOIA process.

6. The FOIA Improvement Act of 2016 requires additional notification to requesters about the services provided by the agency's FOIA Public Liaison. Please provide an estimate of how often requesters sought assistance from your agency's FOIA Public Liaison.

Yes, GSA is adhering to this new requirement per the FOIA Improvement Act of 2016. It is estimated that the GSA FOIA Public Liaison is sought for assistance in approximately 5 to 7% of our FOIA requests.

7. The FOIA Improvement Act of 2016 requires agencies to make their reference material or guide for requesting records or information from the agency electronically available to the public. Please provide a link to your agency's FOIA reference guide.

<https://www.gsa.gov/graphics/staffoffices/PublicInformationHandbook.doc>

### ***C. Other Initiatives***

8. If there are any other steps your agency has undertaken to ensure that your FOIA system operates efficiently and effectively, such as improving search processes, eliminating redundancy, etc., please describe them here.

The GSA FOIA Requester Center continuously reviews 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. Increasingly, more requests are for employee emails GSA continues to focus on improving cycle times for our e-discovery processes, and utilizing all available technology to assist in these efforts. These implemented improvements 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 **DOJ'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.

#### **A. Posting Material**

1. Describe your agency's process or system for identifying "frequently requested" records that should be posted online.

GSA, through use of the *FOIAonline* system, makes available online all released FOIA request responses (so long as they don't involve an individual's private personnel records), regardless 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.

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, for the last couple years, 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. Has your agency encountered challenges that make it difficult to post records you otherwise would like to post?

No.

4. If so, briefly explain those challenges and how your agency is working to overcome them.

Not Applicable.

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

Here are some highlights of material that GSA has proactively posted/disclosed during the past reporting year:

- **GSA Acquisition Hallways:** A workspace for acquisition professionals and federal buyers to connect with resources, tools and each other to improve acquisition government-wide.

Site: <https://hallways.cap.gsa.gov/>

- **GSA Old Post Office Ground Lease**

Site: <https://www.gsa.gov/portal/content/305477>

- **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>

- **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 FBOpen 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 Government-wide 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>

- **GSA Auctions** is the electronic system which offers the general public the opportunity to bid electronically on a wide array of federal assets, including surplus, seized and forfeited assets. Using the internet to purchase items that are for auction, bidders, both nationally and internationally may actively participate in multiple auctions held throughout the country on a daily basis.

Site: <https://gsaauctions.gov/>

- **GSA Fleet Vehicle Sales**, a division of the Federal Government, offers quality, U.S. Government owned cars, trucks, and vans to the public.

<https://autoauctions.gsa.gov/>

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

### ***B. Other Initiatives***

7. If there are any other steps your agency has taken to improve proactive disclosures, please describe them here. For example, has your agency engaged requesters in determining how and what to post? Has your agency used web analytics to inform your proactive disclosures?

GSA engages requesters in determining the types of information to post, as well as data sets and webpages linked to government-wide data analytics at data.gov. GSA has solicited information for groups of media requesters and business segments that have an interest in the types of products and services that GSA is managing acquisitions across the Federal government. These data sets are often prepared and proactively posted to the various sites such as those listed in question 5 above.

### **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.

#### ***A. Making Material Posted Online More Useful***

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

Yes.

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 and websites 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 out 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, including surveys 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 and social media interaction.

## **B. Other Initiatives**

3. Did your agency successfully post all four quarterly reports for Fiscal Year 2016?

Yes.

4. 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 2017.

Not Applicable.

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

The President's [FOIA Memorandum](#) and the DOJ'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 2016 Annual FOIA Report and, when applicable, your agency's 2015 Annual FOIA Report.*

### **A. 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 2016, was the average number of days to process simple requests twenty working days or fewer?

Yes.

3. Please provide the percentage of requests processed by your agency in Fiscal Year 2016 that were placed in your simple track.

53.36%.

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?

Non Applicable.

**B. 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 2015 and Fiscal Year 2016 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 2016, did that backlog decrease as compared with the backlog reported at the end of Fiscal Year 2015? If not, explain why and describe the causes that contributed to your agency not being able reduce its backlog.

Yes.

6. If not, explain why and describe the causes that contributed to your agency not being able to 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 2016.

4.6%

**BACKLOGGED APPEALS**

8. If your agency had a backlog of appeals at the close of Fiscal Year 2016, did that backlog decrease as compared with the backlog reported at the end of Fiscal Year 2015? If not, explain why and describe the causes that contributed to your agency not being able reduce backlog.

No.

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

- An increase in the number of incoming appeals.
- 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.

The appeal backlog in FY 2015 was 2. The appeal backlog in FY 2016 was 3. This is only a slightly marginal increase in backlog and there is not a major cause that attributed to this increase.

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 2016. If your agency did not receive any appeals in Fiscal Year 2016 and/or has no appeal backlog, please answer with "N/A."

12%.

### ***C. 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 2015 and Fiscal Year 2016 when completing this section of your Chief FOIA Officer Report.

#### **TEN OLDEST REQUESTS**

11. In Fiscal Year 2016, did your agency close the ten oldest requests that were reported pending in your Fiscal Year 2015 Annual FOIA Report?

Yes.

12. 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 2015 Annual FOIA Report. If you had less than ten total oldest requests to close, please indicate that.

Not Applicable.

13. 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 was able to close were all processed to completion and none were withdrawn by the requester.

## TEN OLDEST APPEALS

14. In Fiscal Year 2016, did your agency close the ten oldest appeals that were reported pending in your Fiscal Year 2015 Annual FOIA Report?

Yes.

15. 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 2015 Annual FOIA Report. If you had less than ten total oldest appeals to close, please indicate that.

Not Applicable.

## TEN OLDEST CONSULTATIONS

16. In Fiscal Year 2016, did your agency close the ten oldest consultations that were reported pending in your Fiscal Year 2015 Annual FOIA Report?

Yes.

17. 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 2015 Annual FOIA Report. If you had less than ten total oldest consultations to close, please indicate that.

Not Applicable.

### ***E. Additional Information on Ten Oldest Requests, Appeals, and Consultations & Plans***

18. Briefly explain any obstacles your agency faced in closing its ten oldest requests, appeals, and consultations from Fiscal Year 2015.

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 and email communications, which included massive email 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.

19. 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.

20. 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 2017.

Not Applicable.