



# Annual Chief FOIA Officer Report

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U.S. General Services Administration

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**U.S. General Services Administration**  
*Chief FOIA Officer Report – FY 2022*

**Nitin Shah, Chief FOIA Officer**

## **SECTION I: STEPS TAKEN TO APPLY THE PRESUMPTION OF OPENNESS**

The guiding principle underlying DOJ's [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 LEADERSHIP**

- 1. The FOIA requires each agency to designate a Chief FOIA Officer who is a senior official at the Assistant Secretary or equivalent level. *See* 5 U.S.C. § 552(j)(1) (2018). Is your agency's Chief FOIA Officer at this level?**

Yes.

- 2. Please provide the name and title of your agency's Chief FOIA Officer.**

Nitin Shah, General Counsel.

### **B. FOIA TRAINING**

- 3. The FOIA directs agency Chief FOIA Officers to ensure that FOIA training is offered to agency personnel. *See* 5 U.S.C. § 552(a)(j)(2)(F). Please describe the efforts your agency has undertaken to ensure proper FOIA training is made available and used by agency personnel.**

GSA provides several training sessions throughout the year for staff from the Office of the General Counsel, Central Office and Regional Points of Contact (POCs), and Subject Matter Experts (SMEs). Some of these sessions provide a general overview of FOIA, including exemptions and their applications, as well as GSA's internal processes and procedures. Other GSA sessions provide in-depth training regarding the FOIAonline system and redaction software.

- 4. Did your FOIA professionals or the personnel at your agency who have FOIA responsibilities attend substantive FOIA training during the reporting period such as that provided by the Department of Justice?**

Yes.

- 5. If yes, please provide a brief description of the type of training attended or conducted and the topics covered.**

Courses provided by the Department of Justice are valued and are well-attended by GSA staff. The availability of virtual training opportunities has greatly increased GSA's engagement with DOJ programming—including among GSA Regional staff who do not typically benefit from courses that are held in-person

in the Washington, DC metro area. Courses attended by GSA FOIA Specialists and SMEs during the reporting period include the following:

- DOJ, FOIA Litigation Seminar;
- DOJ, Introduction to FOIA;
- DOJ, Virtual Best Practices – FOIA Administration During the Pandemic;
- DOJ, Virtual Procedural Requirements and Fees Workshop;
- DOJ, Virtual Exemption 1 and Exemption 7 Workshop;
- DOJ, Virtual Exemption 4 and Exemption 5 Workshop;
- DOJ, Virtual Privacy Considerations Workshop;
- DOJ, Virtual Litigation Act Seminar;
- DOJ, Virtual Annual Report Training;
- DOJ, Virtual Chief FOIA Officer Report Training;
- DOJ, FOIA for Attorneys and Access Professionals;
- GSA, OGC National Training Forum – FOIA Updates; and
- Chief FOIA Officers Council Meetings (attended by FOIA Program Manager).

**6. Please 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 percent of GSA’s FOIA professionals attended substantive FOIA training during the reporting period.

**7. 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.

**8. Did the personnel at your agency who have FOIA responsibilities attend training in federal records management during this reporting period?**

Yes. GSA has an annual mandatory training course in Records Management that all employees are required to take. For the reporting period, this course was titled, “GSA 2021 – What is Records Management?”

## C. OUTREACH

9. **Did your FOIA professionals engage in any outreach or dialogue, outside of the standard request process, with the requester community or open government groups regarding your administration of the FOIA? Please describe any such outreach or dialogue, and, if applicable, any specific examples of how this dialogue has led to improvements in your agency's FOIA administration.**

In general, GSA's FOIA outreach takes place as part of the standard request process; however, the agency has taken steps to educate members of the media on how to request records through FOIA from time to time.

## D. OTHER INITIATIVES

10. **Describe any efforts your agency has undertaken to inform non-FOIA professionals of their obligations under the FOIA. In particular, please describe: (1) how often and in what formats your agency provides FOIA training or briefings to non-FOIA staff; and (2) if senior leaders at your agency received a briefing on your agency's FOIA resources, obligations, and expectations during the FOIA process?**

Throughout the reporting period, GSA FOIA professionals hosted meetings and training sessions with non-FOIA professionals. Each FOIA analyst is assigned GSA program areas, Regions, and/or service lines, and regularly interacts with POCs and SMEs to answer questions and educate them on the FOIA process. When formal training is needed in certain GSA programs, training sessions are set up with those employees and led by GSA FOIA professionals and attorneys.

GSA's Office of the General Counsel included FOIA training as part of its National Training Conference, which was held in October 2021. OGC also provided dedicated FOIA training for political appointees and facilitated a question-and-answer session with those individuals this past year.

GSA has also added FOIA-related performance standards to some performance plans of employees who have potential roles in administering FOIA and managers who have direct reports that might administer FOIA. For example, GSA's Federal Acquisition Service (FAS) began implementing that initiative in FY 2020. GSA has since seen improvements in the timeliness and accuracy of responsive releases in program areas—such as FAS—that have added FOIA-related performance standards to performance plans of non-FOIA professionals. And GSA's OGC has added a specific performance goal for all attorneys to complete dedicated FOIA training in FY 2022.

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

GSA does not have any additional information to share.

## **SECTION II: STEPS TAKEN TO ENSURE THAT YOUR AGENCY HAS AN EFFECTIVE SYSTEM IN PLACE FOR RESPONDING TO REQUESTS**

DOJ's [FOIA Guidelines](#) emphasize 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 describes your agency’s efforts in this area.

- 1. For FY 2021, 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 FY 2021 Annual FOIA Report.**

4.84 days.

- 2. If your agency’s average number of days to adjudicate requests for expedited processing was above ten calendar days, according to Section VIII.A. of your agency’s FY 2021 Annual FOIA Report, 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. The FOIA Improvement Act of 2016 required all agencies to update their FOIA regulations within 180 days. In 2016, OIP issued Guidance for Agency FOIA Regulations and the accompanying Template for Agency FOIA Regulations to assist agencies in updating their regulations in accordance with the statute. Has your agency updated its FOIA regulations in accordance with the FOIA Improvement Act of 2016? If not, what is your agency’s plan to update your regulations?**

Yes.

- 4. Standard Operating Procedures (SOPs) generally document your agency’s internal processes for administering the FOIA beyond your FOIA regulations and FOIA Reference Guide. As noted in OIP’s [guidance](#), having SOPs can improve the consistency and quality of an agency’s FOIA process. SOPs can also serve as a significant resource for incoming FOIA professionals and a way to preserve much of the agency’s institutional knowledge on administering the FOIA from how to handle requests from start-to-finish, to identifying and making proactive disclosures, to maintaining a FOIA website. Does your agency have up-to-date internal SOPs for your FOIA administration?**

No. GSA has an internal FOIA manual that covers much of the process. It is currently in the process of finalizing formal SOPs.



5. **If not, please provide a timeline for when your agency plans to develop or update its SOPs.**

March 1, 2022.

6. **Has your agency established alternative means of access to first-party requested records outside of the FOIA process?**

Yes. GSA's Privacy Act Program Office has a process outside of the FOIA process to handle and respond to first-party requested records. GSA's Privacy Act program establishes that process and assigns responsibilities for fulfilling the Privacy Act's mandate. First-party requesters must establish their identity (to the satisfaction of the GSA Privacy Office) before GSA will process the request under the Privacy Act. And GSA protects PII security and confidentiality through various methods such as security technologies and strict access controls.

7. **If yes, please provide examples. If no, please explain if such opportunities exist at your agency and whether there are any challenges in establishing alternative means of access.**

GSA does not receive many first-party requests—only a handful per year at most. When the GSA FOIA Requester Service Center identifies an incoming request for first-party records, FOIA professionals alert GSA's Privacy Act Program Office in a timely manner. The Privacy Office then proceeds with its normal operations to process and respond to the request (as detailed above in the answer to question 6).

8. **Did your agency conduct a self-assessment of its FOIA administration during the reporting period? If so, please describe the self-assessment methods used, such as analyzing Annual Report or raw data, using active workflows and track management, reviewing and updating processing procedures, etc. In addition, please specifically highlight any data analysis methods or technologies used to assess your agency's FOIA program.**

Yes. GSA's Associate General Counsel (AGC) for General Law assessed GSA's FOIA program from February to June 2021 and submitted an initial evaluation and corresponding recommendations in July 2021. The evaluation relied on a 2018 Organizational Review of the GSA FOIA program, analysis of major FOIA metrics (as reflected in GSA's annual reports to DOJ), interviews with FOIA attorneys and program staff, and personal observations. Several of the AGC's recommendations—such as onboarding additional FOIA staff, reviewing FOIAonline's capabilities, and emphasizing backlog reduction—have already taken place. The FOIA program has also partnered with GSA's Robotics Process Automation Division (managed by GSA's Office of the Chief Financial Officer) to create a FOIA Dashboard, which will assist in tracking and gathering data on individual FOIA requests and overall program performance.

9. **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 the number of times requesters sought assistance from your agency’s FOIA Public Liaison during FY 2021 (please provide a total number or an estimate of the number).**

The GSA FOIA Public Liaison was contacted for assistance approximately 200 times during the reporting period.

10. **Has your agency reviewed its FOIA-related staffing capabilities to identify resources needed to respond to current and anticipated FOIA demands?**

Yes. GSA has added two full-time staff members to its FOIA program. In August 2021, the team added a full-time attorney, bringing the number of full-time FOIA attorneys to two. And, in October 2021, the team added a full-time FOIA paralegal.

11. **Optional—Please describe: (1) best practices used to ensure that your FOIA system operates efficiently and effectively; and (2) any challenges your agency faces in this area.**

GSA has several best practices in place to ensure that the agency’s FOIA program is as efficient and effective as possible. Examples include the following:

- FOIA program staff portfolios are aligned to leverage each FOIA analyst’s program knowledge, experience, agency contacts, and/or subject matter expertise. By doing so, FOIA staff develop excellent working relationships with SMEs and POCs in their assigned areas, which enables them to work more efficiently and effectively.
- GSA FOIA Requester Service Center staff evaluate incoming requests and notify requesters when information is publicly available (and need not be obtained through the formal FOIA process). Also, when a FOIA request requires e-discovery research, GSA staff proactively communicate with the requester to clarify the request (e.g., narrowing search terms) so that GSA can respond as efficiently and effectively as possible.

Currently, GSA’s main challenge is addressing and eliminating backlogged FOIA requests while keeping pace with incoming requests, which have become more complex and voluminous over the past several years.



### **SECTION III: STEPS TAKEN TO INCREASE PROACTIVE DISCLOSURES**

The Department of Justice has long 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.

**1. Please describe what steps your agency takes to identify, track, and post (a)(2) proactive disclosures.**

GSA has established a policy and several related processes to identify, track, and post (a)(2) proactive disclosures. The GSA FOIA Requester Service Center, in conjunction with the GSA IT and Privacy Act Program Offices, has developed an internal policy for proactive disclosures: CIO 2164.1 – Internal Clearance Process for GSA Data Assets.

That policy requires GSA staff to:

- Review information for valid restrictions prior to release for both internal agency use and external stakeholders in order to ensure proper safeguarding of privacy, security, and confidentiality of Government, proprietary, and procurement information of a sensitive manner;
- Document reasons why a data asset or certain components of a data asset should not be released;
- Consult with GSA’s Privacy Officer, Office of the General Counsel, and the FOIA Program Manager regarding any identified data assets or any portion of data assets that should not be released; and
- Encourage dialogue internally to identify more data assets that may be released.

**2. Provide examples of any material that your agency has proactively disclosed during the past reporting year, including records that have been requested and released three or more times in accordance with 5 U.S.C. § 552(a)(2)(D). Please include links to these materials as well.**

GSA has proactively disclosed the following during the reporting period:

- [GSA Safer Federal Workplace](#)
- [GSA Acquisition Gateway](#)
- [Federal Business Opportunities](#)

- [Facilities Management Institute](#)
- [Federal Procurement Data System](#)
- [Federal Awardee Performance and Integrity Information System](#)
- [GSA Forms](#)
- [GSA Electronic Reading Room](#)

**3. Does your agency disseminate common types of material outside of FOIA, including in online databases where the public may access them? If yes, please provide examples and, if applicable, statutory authority.**

Yes. Examples include the following:

- [Data.gov](#)
- [GSA Auctions](#)
- [GSA Advantage](#)
- [GSA Lease Inventory](#)

**4. 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. GSA not only serves the general public, but also other agencies. In addition to tailoring information to the needs of the general public, much of GSA's posted information from the reporting period has focused on providing direct assistance to other agencies. For example, GSA has been an integral part of the Federal government's response to the COVID-19 pandemic and has posted information related to pandemic preparedness and response—especially in areas such as Federal government owned and leased facilities, acquisition of supplies, and technology planning and implementation. A core principle of providing effective information to the public and partner agencies is ensuring that information is indeed useful, understandable, and reliable.

**5. If yes, please provide examples of such improvements. In particular, please describe steps your agency is taking to post information in open, machine-readable, and machine-actionable formats, to the extent feasible. If not posting in open formats, please explain why and note any challenges.**

GSA has been a leader in facilitating open data on the Data 2 Decisions (D2D) website. Most of the selected proactively posted information on this website is posted in open, machine-readable and machine-actionable formats. GSA has received positive feedback regarding the D2D website from members of the public, who have highlighted the website's usability—including the ability to

customize searches and run analysis based on specified timeframes, as well as the ability to customize many of the posted data sets.

- 6. Does your proactive disclosure process or system involve any collaboration with agency staff outside the FOIA office? If so, describe this interaction.**

Yes. GSA's FOIA Office facilitates ongoing and progressive conversations with GSA's key business lines, program areas, and records management staff about information and data sets that could and should be proactively posted for public use and consumption. Once information or data sets are determined to be a candidate for proactive disclosure, the information moves through the process described above in question 1 of this section.

- 7. Optional—Please describe: (1) best practices used to improve proactive disclosures; and (2) any challenges your agency faces in this area.**

GSA does not have any additional information to share.

#### **SECTION IV: STEPS TAKEN TO GREATER UTILIZE TECHNOLOGY**

A key component of FOIA administration is using technology to make information more accessible. 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 describes your agency's efforts in this area.

- 1. Has your agency reviewed its FOIA-related technological capabilities to identify resources needed to respond to current and anticipated FOIA demands?**

Yes.

- 2. Please briefly describe any new types of technology your agency began using during the reporting period to support your FOIA program.**

GSA is developing a Robotic Processing Automation (RPA) system to improve FOIA management and processing. GSA intends for the RPA system to include a management dashboard that tracks routine and repeatable portions of the FOIA process.

- 3. OIP issued [guidance](#) in 2017 encouraging agencies to regularly review their FOIA websites to ensure that they contain essential resources, and are informative and user-friendly. Has your agency reviewed its FOIA website(s) during the reporting period to ensure it addresses the elements noted in the guidance?**

Yes.

4. Did all four of your agency’s quarterly reports for FY 2021 appear on your agency’s website and on FOIA.gov?

Yes.

5. 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 FY 2022.

Not applicable.

6. The FOIA Improvement Act of 2016 requires all agencies to post the raw statistical data used to compile their Annual FOIA Reports. Please provide the link to this posting for your agency’s FY 2020 Annual FOIA Report and, if available, for your agency’s FY 2021 Annual FOIA Report.

Reports are linked below:

- [GSA FOIA Reports](#)
- [GSA Annual FOIA Report – FY20](#)

## **SECTION V: STEPS TAKEN TO IMPROVE TIMELINESS IN RESPONDING TO REQUESTS AND REDUCING BACKLOGS**

The Department of Justice has 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 FY 2020 and 2021 Annual FOIA Reports.

### **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 your agency uses a separate track for simple requests, according to Annual FOIA Report section VII.A, was the agency overall average number of days to process simple requests twenty working days or fewer in FY 2021?**

Yes.

3. **Please provide the percentage of requests processed by your agency in FY 2021 that were placed in your simple track. Please use the following calculation based on the data from your Annual FOIA Report: (processed simple requests from Section VII.C.1) divided by (requests processed from Section V.A.) x 100.**

GSA processed 1,294 requests in FY 2021. Of those requests, 517 were placed in the simple track. That equals 39.95 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?**

Not applicable.

## **B. BACKLOGS**

When answering these questions, please refer to your FY 2021 Annual FOIA Report, Sections XII.D-E, which compare the numbers of requests and appeals received, processed, and backlogged between FY 2020 and FY 2021.

5. **If your agency had a backlog of requests at the close of FY 2021, according to Annual FOIA Report Section XII.D.2, did that backlog decrease as compared with the backlog reported at the end of FY 2020?**

No.

6. **If not, according to Annual FOIA Report Section XII.D.1, did your agency process more requests during FY 2021 than it did during FY 2020?**

No.

7. **If your agency's request backlog increased during FY 2021, please 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: (1) an increase in the number of incoming requests; (2) a loss of staff; and (3) 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.**

GSA's FOIA request backlog increased during FY 2021 in part because of impacts associated with the COVID-19 pandemic. In addition, during the reporting period, several high-profile matters involving GSA (e.g., former

President Trump's association with the Old Post Office and the ascertainment of the apparent winner of the 2020 presidential election) generated substantially increased public and media interest in agency records.

**Provide any other reasons—please briefly describe or provide examples when possible.**

GSA has no other reasons to share at this time. The agency will continue to evaluate and work to reduce its backlog over the coming year.

- 8. 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 FY 2021. Please use the following calculation based on data from your Annual FOIA Report: (backlogged requests from Section XII.A) divided by (requests received from Section V.A) x 100. This number can be greater than 100%. If your agency has no request backlog, please answer with "N/A."**

GSA received 1,349 requests in FY 2021, 392 of which were backlogged at the close of the fiscal year. That equals 29.06 percent.

- 9. If your agency had a backlog of appeals at the close of FY 2021, according to Section XII.E.2 of the Annual FOIA Report, did that backlog decrease as compared with the backlog reported at the end of FY 2020?**

No.

- 10. If not, according to section XII.E.1 of the Annual FOIA Report, did your agency process more appeals during FY 2021 than it did during FY 2020?**

No.

- 11. If your agency's appeal backlog increased during FY 2021, please 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: (1) an increase in the number of incoming appeals; (2) a loss of staff; and (3) 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.**

GSA's FOIA appeal backlog increased during FY 2021 in part because of impacts associated with the COVID-19 pandemic. In addition, during the reporting period, several high-profile matters involving GSA (e.g., former President Trump's association with the Old Post Office and the ascertainment of the apparent winner of the 2020 presidential election) generated substantially increased public and media interest in agency records.

**Provide any other reasons—please briefly describe or provide examples when possible.**

GSA has no other reasons to share at this time. The agency will continue to evaluate and work to reduce its backlogged appeals over the coming year.

- 12. 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 FY 2021. Please use the following calculation based on data from your Annual FOIA Report: (backlogged appeals from Section XII.A) divided by (appeals received from Section VI.A) x 100. This number can be greater than 100%. If your agency did not receive any appeals in FY 2021 and/or has no appeal backlog, please answer with “N/A.”**

GSA received 31 FOIA appeals during FY 2021, 12 of which were backlogged at the close of the fiscal year. That equals 38.71 percent.

### **C. BACKLOG REDUCTION PLANS**

- 13. In the 2021 guidelines for Chief FOIA Officer Reports, any agency with a backlog of over 1,000 requests in FY 2020 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 FY 2021?**

Not applicable.

- 14. If your agency had a backlog of more than 1,000 requests in FY 2021, please explain your agency’s plan to reduce this backlog during FY 2022. In particular, please also detail how your agency developed and plans to execute your backlog reduction plans.**

Not applicable.

### **D. STATUS OF 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 FY 2020 and FY 2021 when completing this section of your Chief FOIA Officer Report.

- 15. In FY 2021, did your agency close the ten oldest pending perfected requests that were reported in Section VII.E. of your FY 2020 Annual FOIA Report?**

No.



- 16. 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 FY 2020 Annual FOIA Report. If you had less than ten total oldest requests to close, please indicate that.**

GSA was able to close 8 of the 10 oldest requests listed on the FY 2020 Report.

- 17. Beyond work on the ten oldest requests, please describe any steps your agency took to reduce the overall age of your pending requests.**

GSA has prioritized working to resolve the agency's oldest FOIA requests. Many of those requests, however, are complex (e.g., involving large data sets or correspondence that spans tens of thousands of pages), and often require interagency consultation. Resolution can therefore hinge on many factors. In hopes of reducing the age of its backlog, GSA has hired a paralegal who will assist in processing requests. GSA is also developing a FOIA Dashboard, which will help the agency track and automatically follow up on overdue requests.

- 18. In FY 2021, did your agency close the ten oldest appeals that were reported pending in Section VI.C.5 of your FY 2020 Annual FOIA Report?**

No.

- 19. 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 VI.C.(5) of your FY 2020 Annual FOIA Report. If you had less than ten total oldest appeals to close, please indicate that.**

GSA closed 4 of the 10 oldest appeals listed on the FY 2020 Report.

- 20. Beyond work on the ten oldest appeals, please describe any steps your agency took to reduce the overall age of your pending appeals.**

GSA's oldest appeals require a secondary review of large data sets, complex reports, and/or correspondence that spans thousands of pages. In addition, those appeals often require interagency consultation. Resolution can therefore hinge on many factors. In hopes of reducing the age of its backlog, GSA has hired a paralegal who will assist in processing requests. GSA is also developing a FOIA Dashboard, which will help the agency track and automatically follow up on overdue requests.

- 21. In FY 2021, did your agency close the ten oldest consultations that were reported pending in Section XII.C. of your FY 2020 Annual FOIA Report?**

Not applicable.

22. 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 FY 2020 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**

23. Briefly explain any obstacles your agency faced in closing its ten oldest requests, appeals, and consultations from FY 2020.

The main obstacle GSA has faced in closing its oldest requests and appeals is the voluminous nature of those requests and appeals. The initial requests sought large data sets, complex reports, and/or thousands of pages of agency correspondence. And, when massive email retrievals from the GSA email system need to occur, it takes a significant amount of time for GSA to gather, review, redact, and respond. Most of the ten oldest requests and appeals also require(d) GSA to gather information and coordinate with multiple GSA Programs and Regions across the country, which can be time consuming.

24. 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.

25. 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 FY 2022.

GSA will continue to prioritize resolving pending requests and appeals. As mentioned above, GSA has hired a paralegal and an additional FOIA attorney to assist with the complex and voluminous nature of the backlogged requests. GSA is targeting the oldest backlogged requests and is developing a FOIA Dashboard, which will help the agency track and automatically follow up on overdue requests.

#### **F. SUCCESS STORIES**

Out of all the activities undertaken by your agency since March 2021 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, but should not be something that you have reported in a prior year. 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.

### **1. GSA's Success Story:**

During the reporting period, the GSA FOIA Requester Service Center was fully re-aligned into GSA's Office of the General Counsel from its prior location within GSA's Office of Administrative Services. FOIA administration and processing has always required a strong partnership between GSA's FOIA professionals and its attorneys. Transfer of the FOIA Requester Service Center to the Office of the General Counsel consolidated GSA's FOIA program into a singular office, which is managed by GSA's Chief FOIA Officer.

Realignment has resulted in an increased focus on metrics and the creation of standard operating procedures. In addition, this change has increased visibility of the FOIA Program within GSA and has led to the allocation of additional human capital and technological resources for the program. GSA has already noticed improvements as a result of these changes and is hopeful that consolidation of the FOIA Program will continue to improve the overall quality of GSA's responses, reduce review and concurrence timeframes, and improve the customer service experience that GSA provides to the FOIA requester community.