



## **Summary of Agency Chief FOIA Officer Reports for 2013 and Assessment of Agency Progress in Implementing the President's FOIA Memorandum and the Attorney General's FOIA Guidelines With OIP Guidance for Further Improvement**

### Introduction

This year marks the fourth anniversary of [President Obama's FOIA Memorandum](#) and [Attorney General Holder's FOIA Guidelines](#). Looking back on these past four years, agencies have undertaken a variety of initiatives to improve their FOIA administration and fully implement the directives in the [President's FOIA Memorandum](#) and the [Attorney General's FOIA Guidelines](#). During these times of lean resources, and as the government overall continues to face ever-increasing numbers of incoming FOIA requests, agencies have persevered and identified efficiencies that have enabled them to process more requests, reduce response times, and lower backlogs of pending requests. Moreover, this has all been accomplished while agencies continued to release records in full or in part in response to over 92% of requests processed for disclosure. To be sure, there are variations in the level of success achieved by the agencies and there is still more work that can be done. This assessment is intended to guide agencies in identifying those areas where further work is needed. At the same time, as is demonstrated in agency Chief FOIA Officer Reports, agencies have taken a number of concrete steps over the past four years to improve the government's overall FOIA administration.

Agencies are held accountable for their progress in administering the FOIA through two reports filed each year with the Department of Justice. Pursuant to 5 U.S.C. § 552(e)(1), by February 1st of each year, agencies are required to submit an Annual FOIA Report that, among other things, contains detailed statistics on the number of requests received and processed, the time taken to respond, and the number of any backlogged requests. A detailed [summary of agency Annual FOIA Reports](#) is prepared by the Office of Information Policy (OIP) each year. Additionally, the Attorney General, who has stressed the importance of agency accountability in administering the FOIA, has directed Chief FOIA Officers to "review all aspects of their agencies' FOIA administration . . . and [to] report to the Department of Justice each year on the steps that have been taken to improve FOIA operations and facilitate information disclosure at their agencies."

Each year since the issuance of the [Attorney General's FOIA Guidelines](#), OIP has provided [guidance to agencies on the content of their Chief FOIA Officer Reports](#). In accordance with that guidance, in March 2013 agencies submitted to the Department of Justice their fourth [Chief FOIA Officer Reports](#). As in previous years, these reports examine five key topical areas

tied directly to the principles embodied in the [President's FOIA Memorandum](#) and the [Attorney General's FOIA Guidelines](#). Specifically, the Chief FOIA Officer Reports describe:

- 1) the steps taken by the agency to apply the presumption of openness;
- 2) the steps taken to ensure that the agency has an efficient and effective system in place for responding to requests;
- 3) the steps taken to increase proactive disclosures;
- 4) the steps taken to greater utilize technology in FOIA administration; and
- 5) the steps taken to reduce any backlogs and to improve timeliness in responding to requests.

After reviewing agencies' Chief FOIA Officer Reports for 2013, OIP has once again prepared a summary of agency progress in FOIA administration over the past year and a detailed assessment of all ninety-nine agencies subject to the FOIA during Fiscal Year (FY) 2012. As with last year, the summary and assessment below includes OIP guidance for continued improvement.

### Methodology

For the 2013 assessment, OIP selected fifteen milestones tied to the five key areas addressed in the Chief FOIA Officer Reports. These milestones were chosen as indicative of progress made in each area, but they are by no means exclusive. Agencies include in their Chief FOIA Officer Reports a wide range of accomplishments and initiatives that have been undertaken to improve their administration of the FOIA. As these reports themselves provide a more comprehensive picture of each agency's work in implementing the [FOIA Guidelines](#), this assessment is designed to provide a visual snapshot of several key areas of agency FOIA administration and is meant to be read in conjunction with the Chief FOIA Officer Reports. The assessment readily illustrates many areas where agencies have made real progress and also serves to highlight areas where further improvement can be made.

The assessment covers all ninety-nine agencies that were subject to the FOIA during FY 2012. With the exception of the three milestones discussed below, a score of green indicates that the agency met the milestone, yellow indicates partial progress, and red indicates that the milestone was not met.

*Summary of Agency Chief FOIA Officer Reports for 2013  
U.S. Department of Justice, Office of Information Policy*

2013 Chief FOIA Officer Reports Assessment of Federal Departments and Agencies													U.S. Department of Justice Office of Information Policy							
Agency	Section I: Applying the Presumption of Openness				Section II: Effective Systems for Responding to Requests			Section III: Increasing Proactive Disclosures		Section IV: Utilization of Technology (Tech.)			Section V: Reducing Backlogs & Improving Timeliness in Responding to Requests (Req.) and Appeals (App.)							
	Conducted or Attended FOIA Training or Conferences	Made Discretionary Disclosures of Information	High Release Rate for Req. Processed for Disclosure		FOIA Staff Has Sufficient IT Support	FOIA Staff Works with Open Gov. Team	Taken Steps to Assess if there is Adequate Staffing	Taken Steps to Make Website More Useful to Public	Added New Material to Website	Offers Ability to Make FOIA Requests Electronically	Utilizing Advanced Tech. to Increase FOIA Efficiency	Processed Simple Req. in 20 Working Days or Less			Agency Decreased Number of Backlogged:		Closed All Ten Oldest Req. & App. If not, # closed in FY 2012			
			Score	Release Rate								Simple Track Y/N	Score	Avg. No. of Days	Req.	App.	Req. Y/N	If no, # closed	App. Y/N	If no, # closed
ACUS	●	●	●	100.0%	●	●	●	●	●	●	●	Y	●	2	●	●	●	N/A	●	N/A
ABMC	●	●	●	100.0%	●	●	●	●	●	●	●	N	●	13	●	●	●	N/A	●	N/A
Amtrak	●	●	●	86.6%	●	●	●	●	●	●	●	Y	●	7.87	●	●	●	N/A	●	N/A
AFRH	●	●	●	75.0%	●	●	●	●	●	●	●	Y	●	111	●	●	●	N/A	●	N/A
FRB	●	●	●	91.4%	●	●	●	●	●	●	●	Y	●	3	●	●	●	5/10	●	0/1
BBG	●	●	●	91.3%	●	●	●	●	●	●	●	N	●	N/A	●	●	●	N/A	●	N/A
CIA	●	●	●	41.4%	●	●	●	●	●	●	●	Y	●	32	●	●	●	2/10	●	0/10
CSB	●	●	●	65.5%	●	●	●	●	●	●	●	Y	●	17	●	●	●	7/10	●	N/A

*2013 Chief FOIA Officer Report Assessment*

A black mark indicates that a given milestone was not applicable to that agency. For example, for some agencies the milestone concerning making discretionary releases was not applicable because the agency did not process any records that were exempt under the FOIA and therefore had no opportunity to make a discretionary release. Similarly, there were some agencies that had no Open Government Team and so the milestone related to working with that team was not applicable to them. For some agencies, such as those with small numbers of requests that were already being processed in under twenty working days, the milestone addressing the utilization of advanced technology to increase efficiency was not applicable.

As with the 2012 assessment, three milestones were scored differently from the rest. For the milestone concerning whether an agency had a high release rate, the scores are based on percentages derived from each agency's Annual FOIA Report. The percentage for an agency's release rate is calculated by dividing the total number of full and partial releases made by the agency during the fiscal year by the total number of requests that the agency processed for disclosure. A green score indicates that the agency had a release rate of 90% or above, yellow indicates a release rate between 70% and 89%, and red indicates a release rate below 69%.

For the milestone reflecting whether an agency was able to process requests in its "simple" processing track within an overall average of twenty working days or less, OIP first identified whether the agency had a multi-track system which allowed for the processing of "simple" requests in a different queue from "complex" requests. Agencies with such a system were afforded a score of green if their overall average processing time for simple track requests was twenty-working days or less. A yellow score was given to agencies with an average processing time between twenty and twenty-five working days, and a red score was given if the agency's average processing time exceeded twenty-five days. For agencies that have not established a separate track for their simple requests, a score of green was given if the agency was able to process all of its non-expedited requests within an average of twenty working days, and a yellow score was given if the agency's overall average processing time was above twenty working days.

Finally, for the milestone addressing whether an agency closed its ten oldest requests and ten oldest appeals, only a green or a red score was given. The intent behind these milestones is to pick a

set point in time, specifically, the end of FY 2012, and to determine factually whether the ten oldest requests and appeals pending at the agency were closed by that date. Therefore, as with last year's assessment, for these milestones even though most agencies made some progress toward closing their oldest requests and appeals, no yellow scores were given. However, in an effort to provide a more complete picture of agency progress in this area, for those agencies that did not score a green, OIP has added to the assessment the number of the ten oldest requests and ten oldest appeals that the agency was able to close. As illustrated by the assessment, a number of agencies that scored red for this milestone were still able to make significant progress in this area by closing all but one or two of their ten oldest.

The time period for the assessment is generally March 2012 to March 2013, which is the period covered by the [2013 Chief FOIA Officer Reports](#). For the milestones concerning release rates, processing times for simple track requests, backlog reduction, and the closing of the ten oldest requests and ten oldest appeals, the time period is FY 2012. The data for these metrics was compiled from agency Annual FOIA Reports, which are available on both [FOIA.gov](#) and OIP's [Reports](#) page.

### Findings

#### **Steps Taken to Apply the Presumption of Openness**

OIP used three milestones to assess agency work in applying the presumption of openness called for in the [President's FOIA Memorandum](#) and [the Attorney General's FOIA Guidelines](#).

#### *Training*

Agencies were first scored on whether they conducted or attended FOIA training during the past year. Eighty-eight agencies scored green for this milestone, which is an increase of six agencies from last year. OIP itself continued to provide [multiple training programs during 2012](#), reaching thousands of FOIA professionals across the government and covering a wide range of FOIA-related topics, including [the President's and Attorney General's FOIA Memoranda](#) and an overview of the FOIA and its provisions. Notably, during 2012, OIP expanded its government-wide training program by launching two new initiatives. First, during the Summer of 2012, OIP launched its [Director's Lecture Series](#), which allows FOIA professionals from across the government to pose questions and engage in discussion directly with OIP's Director. Second, recognizing that travel requirements may limit the ability of agency personnel to attend FOIA training, OIP also began offering [video conference training sessions](#) open to all federal employees.

Leveraging the expertise of their own FOIA professionals, a number of other agencies around the government also conducted training during the reporting period. The Department of State, for example, instituted a new monthly training program for agency FOIA professionals, covering a variety of topics including procedural issues, the use of the FOIA's statutory exemptions, and best practices for communication with requesters. Similarly, the Department of Defense continued to expand its robust training program by hosting over 600 FOIA professionals at training workshops in San Diego, California, Knoxville, Tennessee and Padova, Italy. The Department of Defense also continued to provide online training sessions to over 200 of its FOIA professionals. These online sessions, which took place on Defense Connect Online, allow presenters and participants from around the world to interact and engage in dialogue.

Like the Department of Defense, many agencies across the government looked to technology to expand the reach of their training programs. OIP held two government-wide [video conference training seminars](#) specifically for agency FOIA professionals not located in the Washington, DC area. The Department of the Treasury encouraged its employees to register for two online training tools that included information on the [President's FOIA Memorandum](#) and the [Attorney General's FOIA Guidelines](#), as well as other FOIA, privacy, and records management principles and practices. The Department of Transportation's Pipeline and Hazardous Materials Safety Administration similarly developed a mandatory online FOIA training session for all of its employees. Finally, the Department of Labor allowed employees from around the country to participate in its fourth annual FOIA training conference via remote access. The conference was a two-day event held in Washington, DC titled "FOIA 2012: Reaching New Heights in Information Management Through Discretionary Disclosures, Transparency and Openness." The course materials used during the conference were published on the agency's internal website for future use and reference.

Recognizing the benefit of more frequent FOIA training, many agencies have begun hosting regularly scheduled FOIA training sessions. For example, the U.S. Agency for International Development reported that its FOIA professionals regularly attend in-house training to stay abreast of FOIA trends and issues. At the Department of State, quarterly training opportunities are provided for staff tasked primarily with reviewing documents in response to FOIA requests. Similarly, the Department of Transportation's Departmental FOIA Office holds monthly, interactive training for its FOIA professionals in order to update them on new guidance and best practices, as well as to address current FOIA issues at the agency.

#### *Discretionary Disclosures*

A key component of the [Attorney General's FOIA Guidelines](#) is his strong encouragement to agencies to make discretionary releases of information. Last year, ninety-seven of the ninety-nine agencies reported having a system in place to determine whether a discretionary release is appropriate. This was significant given OIP's findings from agencies' 2010 Chief FOIA Officer Reports which identified a strong correlation between agencies that made discretionary releases and those agencies that had an added step in their administrative process for evaluating whether a discretionary release was possible. Given this overwhelming response, for the 2013 Chief FOIA Officer Reports, OIP expanded its survey on discretionary releases to not only include whether agencies made discretionary releases during the year, but also to require agencies to provide a narrative description or some examples of the types of information they released as a matter of discretion.

Overall, sixty-six agencies reported making a discretionary release of information. Twelve agencies were given a black mark for this milestone because, as explained above, these agencies had no opportunity to make a discretionary release. Sixteen other agencies were scored a yellow, because based on their Chief FOIA Officer Report or FY 2012 Annual FOIA Report it was evident that they had very little opportunity to make any discretionary releases. For example, during FY 2012, the Armed Forces Retirement Home (AFRH) asserted Exemptions 3 (one time), 4 (one time), 5 (one time), and 6 (two times) to withhold information. Agencies generally do not have the legal authority to discretionarily release information covered by Exemptions 3, 4 and 6. Therefore, the only opportunity AFRH had to make a discretionary release was the one time it asserted Exemption 5. It should be noted, however, that even though agencies are legally able to make discretionary releases of Exemption 5 material, these records are not always appropriate for discretionary release because there may be a foreseeable harm in their disclosure. Five of the ninety-nine agencies were scored red for this milestone.

As noted above, for the 2013 Chief FOIA Officer Reports, OIP not only asked agencies to report on whether they made any discretionary releases of information, but also to give a narrative description or examples of the type of information they released as a matter of discretion. In response, agencies reported a wide range of material that was released as a matter of discretion even though a FOIA exemption was applicable. For example, the Department of Agriculture released records related to briefings, talking points, draft letters, and notes taken during enforcement proceedings. Among other things, the Department of Defense discretionarily released draft documents, certain investigative records, opinions and assessments involving cancellation policies, pre-decisional documents pertaining to the development and discussion of the Regional Maritime Security Initiative proposal paper presented to the members of the Association of Southeast Asian Nations Regional Forum during the 2004 Shangri-La Dialogues, over 1,500 pages of documents and an audio file about the QUILL satellite, and draft audit reports and audit-related working papers. The Department of Housing and Urban Development made discretionary releases of information concerning multi-family and public housing project files, including routing sheets, concurrence sheets, internal e-mails, and draft documents. Moreover, the agency reported that it continues to release draft documents, handwritten notes, and e-mails that would have customarily been withheld under Exemption 5 of the FOIA. The Department of Commerce reported that it routinely releases information that could qualify for protection pursuant to a FOIA exemption. Some examples of these releases include records related to an annual United States Patent and Trademark Office diversity event, internal briefing papers and memoranda, e-mails, and draft reports and comments. The Department of Homeland Security's Privacy Office similarly released thousands of pages of records concerning the "Occupy Wall Street" movement and the Federal Emergency Management Agency released information pertaining to flood mapping documents, internal memoranda and reports on policy issues, and grant application evaluation sheets. In yet another example, the Department of Interior's Bureau of Land and Management made discretionary releases of information concerning the North Steens 230-kV Transmission Line Project and items related to the Economic Analysis of Critical Habitat Designation for the Northern Spotted Owl. These are only a small selection of the examples agencies provided in their reports. Additional examples of discretionary releases can be found in the 2013 Chief FOIA Officer Reports submitted by agencies, all of which are available on the [Reports](#) page of [OIP's website](#).

Shortly after the Attorney General issued his new [FOIA Guidelines](#), OIP provided agencies with [guidance on the application of the foreseeable harm standard and the making of discretionary releases](#). As outlined in OIP's guidance, agencies are not be able to make discretionary releases of information covered by Exemptions 1, 3, 4, 6, and 7(C), because the release of this material is prohibited by other legal authorities. Exemptions 2, 5, 7 (other than 7(C)), 8, and 9, however, do provide agencies with an opportunity to consider discretionary disclosures. By far, the most cited exemption in the 2013 Chief FOIA Officer Reports for making discretionary releases was Exemption 5. Exemption 5 protects certain inter- and intra-agency communications protected by discovery privileges such as the deliberative process privilege, which, as [OIP's guidance](#) explains, holds the most promise for discretionary release.

### *Release Rates*

Finally, one of the ways to assess how agencies are applying the presumption of openness is to examine agency release rates. As briefly described above, release rates are the percentage of requests where records are released either in full or in part out of the universe of requests processed for a disclosure determination. The release rates for the 2013 assessment were calculated based on the data provided in agencies' FY 2012 Annual FOIA Reports. Of the ninety-nine agencies subject to the FOIA in FY 2012, twenty-nine had a release rate of 100%, meaning

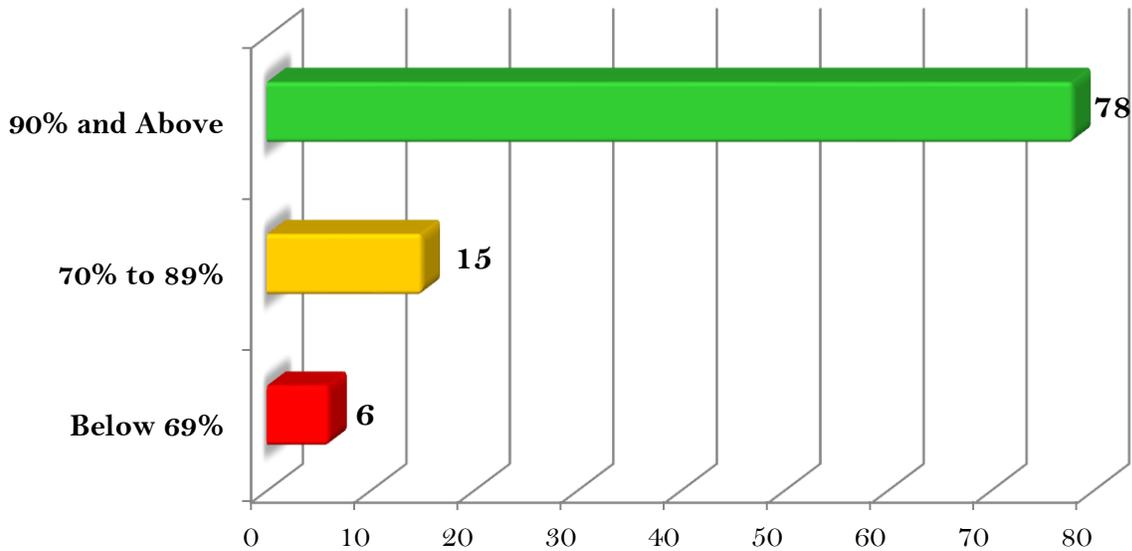
that they released records in full or in part in response to every request that was processed for disclosure. Another twenty-seven agencies had a release rate between 95% and 99%. As with the 2012 assessment, a score of green was given to those agencies that had a release rate of 90% or above. Agencies with a release rate between 70-89% were scored yellow, and agencies with a release rate of 69% or below were scored red.

For the 2013 assessment, seventy-eight agencies achieved a score of green, fifteen agencies scored a yellow, and six agencies received a red score. When considering this milestone, it is important to keep in mind that these scores are based purely on the mathematical formula for determining an agency's release rate and do not take into account other factors such as the types of requests the agency processed and the opportunities it had to release information. For example, the Department of State's score does not take into account the highly sensitive records it processes which require withholding information pursuant to Exemptions 1 and 3, both of which do not afford agencies any discretion to release. During FY 2012, over 80% of the Department of State's exemption usage was attributed to protecting confidential visa material pursuant to Exemption 3 and the Immigration and Naturalization Act, 8 U.S.C. § 1202(f). When adding to this the number of times the Department of State asserted Exemption 1 (which covers information properly classified to protect national security) and Exemption 6 (which protects individual personal privacy), over 90% of the agency's exemption usage was directed toward protecting information that it legally was not able to release. Indeed, Exemption 5, which affords the greatest potential for discretionary release, accounted for less than 7% of the exemptions used by the Department of State. The Central Intelligence Agency's score can similarly be attributed to the types of records its processes, which often involve Exemptions 1 and 3. These exemptions account for over 92% of the Central Intelligence Agency's exemption usage.

In addition to the types of records processed, another factor that might contribute to a lower release rate is the small pool of requests an agency processes. For example, the Special Inspector General for Afghanistan Reconstruction only processed nine requests for exemption applicability during FY 2012, and therefore, the four requests it denied in full had a disproportionate impact on its release rate when compared to an agency that processed far more requests. The same holds true for the U.S. Office of Special Counsel which only processed thirty-six requests for disclosure and the Chemical Safety and Hazard Investigation Board which processed twenty-nine.

For these reasons, particularly for those agencies that scored a yellow or red, it is important to keep in mind that release rates do not always provide an accurate representation of the agency's efforts to apply the presumption of openness. That is why release rates are only one of the factors that are considered in this assessment for measuring an agency's progress in implementing the [Attorney General's FOIA Guidelines](#). For a more complete picture of an agency's efforts, all of the milestones in the assessment should be viewed together in conjunction with the more detailed information provided in the [agency's Chief FOIA Officer Report](#).

## High Release Rate for Requests Processed for Disclosure



### *Other Initiatives to Promote the Presumption of Openness*

As a part of the [2013 Chief FOIA Officer Reports](#), agencies were asked to detail any other initiatives they have undertaken outside of FOIA training and encouraging discretionary releases to ensure that the presumption of openness is being applied. While this question did not result in a graded milestone for the assessment, the responses provided by agencies illustrate the various ways that the [President's](#) and [Attorney General's FOIA directives](#) are being implemented across the government. The Department of State, for example, formed an internal FOIA Process Improvement Group comprised of representatives from all parts of the Department's FOIA team. The State Department reported that the new group has already found ways to adjust business practices to support the presumption of openness, including identifying ways to improve customer service, provide more information through discretionary releases, post more information online, and process more requests in a timely manner. In another example, at the Department of Interior a new quarterly requirement was initiated whereby each bureau must describe the steps it has taken to improve its FOIA program, at least two instances of meaningful discretionary releases, at least two instances of meaningful proactive disclosures, and at least one example of how the agency's online presence has been improved.

### **Steps Taken to Ensure That FOIA System is Effective**

The [Attorney General's FOIA Guidelines](#) stress the importance of ensuring that agencies have effective systems in place to respond to FOIA requests and that "[e]ach agency must be fully accountable for its administration of the FOIA." Embracing this directive, over the course of the reporting period, agencies engaged in self assessments and internal reviews to determine how well their FOIA systems were operating and to identify steps that could be taken to improve efficiency. For example, the Department of Agriculture implemented a Lean Six Sigma process in October 2012 to review its FOIA process and resources and to identify areas for improvement. Similarly, in an effort to tackle its increasing request backlog, the Department of Homeland

Security's U.S. Citizenship and Immigration Services participated in a Six Sigma study to identify efficiencies and reduce processing times. The Board of Governors for the Federal Reserve reported that its FOIA staff conducts several internal reviews over the course of each year in order to maximize efficiency in their FOIA program. In yet another example, the Office of the Inspector General at the Department of Health and Human Services regularly surveys frequent requesters to gauge its performance in responding to FOIA requests and to identify areas where improvements can be made. Finally, the Department of Commerce established a FOIA Council chaired by its Chief FOIA Officer which routinely reviews the agency's FOIA policies and procedures to identify opportunities for strengthening, clarifying, or otherwise improving them.

*"Application 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."*

*- Attorney General Eric Holder*

As a result of these self-assessments, agencies have been able to proactively identify issues and engage in various new initiatives to improve their FOIA administration. For example, as a result of the Six Sigma study it conducted and other efforts such as increased staffing, the U.S. Citizenship and Immigration Services was able to significantly reduce its backlog by 96% from 35,126 pending requests in March 2012 to 1,262 in February 2013. Similarly, the Board of Governors for the Federal Reserve's internal reviews led to the development of an in-house FOIA request tracking system and the adoption of uniform procedures for digitizing paper records. At the Department of Justice, component FOIA offices now follow a new [protocol for transmitting consultations and referrals electronically](#) that minimizes delays. In another effort to improve timeliness, the Department of Transportation's Federal Highway Administration implemented a multi-track approach for processing FOIA appeals. Since 95% of its requests are for investigative charge files, the Equal Opportunity Employment Commission linked its FOIA tracking system to the database that tracks this information. This has saved the Commission's FOIA professionals a significant amount of time that was previously spent searching the database for the charge information needed to process these requests. Finally, the Department of Education acquired new software to assist with its search process after a self-assessment concluded that improvements in this area would ensure that the agency's FOIA professionals were working effectively.

#### *FOIA Staff, IT Support, and Open Government*

Three milestones were assessed for this section of the Chief FOIA Officer Reports: (1) whether agency FOIA staff had sufficient IT support, (2) whether the agency had assessed its staffing needs, and (3) whether the FOIA staff worked with the agency's Open Government Team. For the second year in a row, agencies overwhelmingly reported that they had sufficient IT support for their FOIA staff, with ninety-eight agencies scored green for this milestone. The Council of the Inspectors General on Integrity and Efficiency was the only agency not to score a green and it received a black mark because its FOIA operations are handled by the Department of Agriculture. As with last year, the 2013 Chief FOIA Officer Reports continue to demonstrate that insufficient IT support is no longer a concern amongst agencies. Although assessing whether agency FOIA offices have sufficient IT support should be an ongoing effort, agencies continue to report that their FOIA offices maintain a good relationship with IT staff.

Additionally, ninety-six of the ninety-nine agencies reported that they had taken steps to assess whether they have adequate staffing for their FOIA operations. Of the remaining three

agencies, two (Inter-American Foundation and National Mediation Board) were given a black mark because they determined that an assessment was not necessary based on the small number of requests they received and the fact that they were already operating at an efficient level. The third agency, the National Archives and Records Administration, was scored a yellow based on its explanation that the agency could not assert that it has adequate staffing to respond to requests because the size of its records collection is always increasing. In these continued times of lean resources, the challenge remains for agencies to meet the demands of the ever increasing numbers of incoming requests without acquiring additional staff. During FY 2012, the government overall reported a 7% reduction in the total number of "full-time FOIA staff." As discussed in [OIP's Summary of the FY 2012 Annual FOIA Reports](#), this reduction is largely attributed to the reduction of staff at the Department of Defense. The majority of the other agencies reported either maintaining the same amount of FOIA staff from the prior fiscal year or only a slight change.

Finally, with regard to the interaction with agency Open Government Teams, eighty-six agencies reported that their FOIA staff worked with their Open Government Team, with only one agency reporting that they did not.

### **Steps Taken to Increase Proactive Disclosures**

Both the [President](#) and the [Attorney General](#) emphasized the importance of agencies taking affirmative steps to identify records likely to be of interest to the public and then proactively posting those records online in advance of a formal FOIA request. In the years since the issuance of the [Attorney General's FOIA Guidelines](#), agencies have embraced this focus on proactive disclosures by posting a wide range of material that is of high public interest. Agencies have also improved their websites to make this information more useful to the public.

#### *Added Material to Website*

Ninety-eight of the ninety-nine agencies reported in their Chief FOIA Officer Reports that they had increased the amount of material they proactively make available on their websites. For example, the Department of Housing and Urban Development's Atlanta Office posted PHA Rental Integrity Monitoring review reports and the Seattle Office provide an online database of current Region X project information for the public. At the Department of Defense, the Department of the Army posted an [internal investigation on Agent Orange](#), an [ecological report on the Missouri River Mainstream Reservoir](#), a [Historical Review of Chemical/Biological Weapons](#), and the [Fire Cause and Origin Report-Aberdeen Providing Ground](#). Among other things, the Department of the Navy posted [the inspection report for the Naval Post Graduate School](#) as well as [Naval Research Laboratory](#) video and photographs. In an effort to provide the public with more information about the circumstances surrounding the September 11, 2012 attack on the U.S. Special Mission in Benghazi, the Department of State posted a number of documents pertaining to the investigation by the Accountability Review Board for Benghazi (ARB), including Secretary Clinton's Letter to Congress, the [ARB Report](#), Secretary Clinton's Response to the ARB Report, and briefings on the ARB Report entitled [Benghazi: The Attack and the Lessons Learned](#) (Opening Remarks Before the Senate Committee on Foreign Relations), and [Benghazi Attack, Part II: The Report of the Accountability Review Board](#) (Opening Remarks Before the House Committee on Foreign Affairs). In yet another effort, the National Security Agency recently posted its 60th anniversary publication entitled "[National Security Agency: 60 Years of Defending Our Nation](#)." The publication includes an interactive DVD with 250 declassified documents, seven audio recordings, two videos, and over 150 photographs. One hundred and ninety-six of the documents in the publication were released for the first time.

Recognizing the great public interest in records concerning the Deepwater Horizon Oil Spill, the FOIA office at the Department of Commerce's National Oceanic and Atmospheric Administration (NOAA) partnered with NOAA's Central Library office to make records on this subject available in its [online Library catalog](#). Moreover, the Federal Communications Commission reported that it began modernizing its forty year-old inspection file rules, which for the first time placed over 550,000 public disclosure documents associated with TV stations into [one easy to use portal](#). Over 250,000 of these documents were previously not available anywhere online. As a major multi-year project, the U.S. Copyright Office is making historical copyright records created between 1870 and 1977 available online in a searchable form. The Copyright Office has already imaged nearly twenty-three million index cards for copyright registrations and assignments from 1955 to 1977, and has finished digitizing all 667 volumes of the Catalog of Copyright Entries from 1891 to 1978. In a similar effort, the Office of Scientific and Technical Information at the Department of Energy uploaded nearly 125,000 bibliographical citations and over 18,000 [full text records for viewing and download on many of its publicly available web based services and products](#). Among many other things, the Department of Energy also posted purchase card holder lists, [performance report cards for all of the Office of Science national laboratories](#), information related to Chinese-manufactured drywall research at the Lawrence Berkeley National Laboratory, records concerning the Solar Decathlon, and National Environmental Policy Act documents. In yet another example, the [National Indian Gaming Commission](#) posted 340 new documents to its website last year, including all discussion drafts of potential changes to its regulations, comments in response to the discussion drafts and its proposed rules, and transcripts of every consultation in which the Commission participated.

At the Department of Justice, the Federal Bureau of Investigation continues to add new material to its online records repository, [The Vault](#). Initially launched with records on over 200 subjects, [The Vault](#) now contains records on over 500. Additionally, among other things, the Department posted a listing of all purchase card holders, its Human Capital Strategic Plan, a collection of Office of the Inspector General reports organized by component, a statistical breakdown of clemency requests from 1900 through December 2012, a searchable database of Office of the Solicitor General briefs, and a listing of all Federal Firearms Licensees organized by state. Moreover, as a part of the new [quarterly FOIA reporting requirement](#) issued by OIP, the Department has also updated [FOIA.gov](#) to display all of the [quarterly FOIA statistics](#) submitted by agencies, allowing the public to easily access this information from one central location where the data can be compared by the different quarters and across agencies.

Many agencies either began or continued to post FOIA logs detailing the types of requests they received and processed throughout the year. These FOIA logs can be of great benefit to requesters interested in the types of records a particular agency maintains that have already been processed. This past year, OIP began posting [monthly logs of all FOIA requests processed for itself and the Department's senior leadership offices](#), including the Offices of the Attorney General, Deputy Attorney General and Associate Attorney General. Moreover, all Departmental components at the [Department of Homeland Security are now posting their FOIA logs online](#). The Department of Labor reported that its components were more frequently posting FOIA logs and the Department of Veterans Affairs announced that as part of its website redesign it is in the process of establishing a quarterly log of all the FOIA requests that it receives. In a somewhat similar effort, the National Archives and Records Administration continues to post a [quarterly list of newly declassified records](#).

Agencies also continued to post a variety of high value datasets online. Overall, thirty agencies reported in their Chief FOIA Officer Reports that they added data or datasets to their website during the reporting period. For example, the Department of Energy reported that it

continues to monitor and update major datasets on the Deepwater Horizon response, Department of Energy sponsored patents, and geothermal technical and programmatic reports. The FOIA professionals at the Department of Agriculture collaborated with the agency's Open Government Team to identify new, or enhance already available, high-value datasets for public release. This effort resulted in the posting of [data on the participation and cost of the Supplemental Nutrition Assistance Program](#), [MyPyramid Raw Food](#), [the location of farmers markets in the United States](#), [Biotechnology Regulatory Services](#), [the census of agricultural race, ethnicity and gender profiles](#), the [federal cost of school food programs](#), the [meat, poultry, and egg product inspection directory](#), and the [available technologies at the Agricultural Research Service](#). At the Department of Transportation, the Federal Highway Administration continued to post its [Highway Statistics Series](#), which consists of annual reports containing statistical information on motor fuel, motor vehicle registrations, driver licenses, highway user taxation, highway mileage, and travel and highway finance. Similarly, the Department of Agriculture's National Agricultural Library launched the [Life Cycle Assessment Digital Commons](#), an online resource offering the public access to a wide variety of peer-reviewed U.S. Life Cycle Assessment data on potential impacts of a given agricultural product, process, or activity. The Institute of Museum and Library Sciences continues to publish [public library survey data](#), and the Office of Management and Budget offers a number of [high-value datasets](#) through its website and on [Data.gov](#).

In addition to the traditional posting of records on their websites, many agencies have been using social media outlets such as YouTube, Twitter, Google+, Tumblr, Flickr, and Facebook to disseminate information to a wider audience. For example, the [Department of State](#) has utilized all of these platforms to establish a strong social media presence that provides additional avenues for the public to access information about the agency. In addition to utilizing YouTube, Facebook and Twitter, the Department of Education also used [electronic newsletters](#) and its [ED.gov blog](#) to inform the public of important events. Just this past year, OIP joined a number of Department of Justice components in establishing its own Twitter account, [@FOIAPost](#), where followers are alerted to current FOIA news and events, including the issuance of new FOIA guidance. At the Department of Transportation, the Office of the Secretary actively uses [Facebook](#), [Twitter](#), and [YouTube](#) to engage the public and disseminate important information. The Commodity Future Trading Commission added videos to its [YouTube channel](#), such as public roundtables and Federal Advisory Commission meetings, and the Department of the Interior regularly posts photos to its [Flickr account](#). Finally, NASA reported that it regularly uses social media to inform the public about daily operations at the agency. During the reporting period, NASA live [broadcasted the landing of the Mars Curiosity Rover](#) on YouTube and uses a dedicated Twitter feed to detail the [status of Curiosity's mission on Mars](#). These are just a few examples of the social media accounts operated by federal agencies. Additional information on the government's social media activities can be found at [USA.gov](#).

### *Enhanced Usability of Website*

In addition to posting more material online, agencies once again reported that they are also taking steps to make the information on their websites more useful to the public. For example, several agencies including the [Department of Transportation](#), [Social Security Administration](#), [Inter-American Foundation](#), [Environmental Protection Agency](#), and [Federal Maritime Commission](#) launched newly redesigned websites that are more user- friendly and facilitate greater access to information. The Department of Transportation launched its newly redesigned website in October 2012 after carefully considering direct public feedback and usability testing. The new website makes it easier for users to locate information and view the

website on their mobile devices. Moreover, a feedback button was added to every page of the website to encourage visitors to provide suggestions for further improvement.

Other agencies such as the Department of State, Central Intelligence Agency, National Endowment for the Humanities, and the National Labor Relations Board improved the search functions on their websites to make it easier for the public to locate information. The Central Intelligence Agency in particular enhanced the search functions on its website to allow users to search across all document collections with filtering options that provide for more targeted results. In addition to improving the searchability of the information on its website, the Department of State reported that it was undertaking a broad initiative to completely redesign and update its FOIA website to improve customer usability and increase the amount of information available to the public. The Department of State recently launched its [redesigned site](#), which features a modernized look-and-feel that is easier to navigate and better informs users about the Department's activities and the type of records it maintains. The website provides access to over 70,000 documents previously released under the FOIA and offers a powerful search engine allowing users to easily locate the records that are of most interest to them. The website also includes an improved online request tool that helps users submit their requests electronically.

Several other agencies, including the [Department of Agriculture](#) and the [General Services Administration](#), have also implemented new or improved online request forms, allowing the public to submit FOIA requests directly through their websites. The Environmental Protection Agency and its partner agencies also launched [FOIAonline](#) earlier this year, which allows users to submit their requests to the participating agencies online. Each year more and more FOIA offices are going beyond e-mail to electronically receive requests by implementing customized online request forms that assist requesters in providing all of the information the agency needs to process their requests as efficiently as possible. Over one-hundred FOIA offices throughout the government currently provide requesters the ability to make requests online, all of which can be accessed through [FOIA.gov](#) along with a wealth of other important [FOIA contact information](#).

Additionally, as the public's use of mobile devices has increased, agencies have continued to make more information available on these devices through the launching of mobile applications and the use of websites specifically formatted for smartphones and tablets. The Department of Labor continues to be a leader in this area, [deploying multiple mobile applications that benefit workers throughout the country](#). Similarly, the Department of Transportation's Federal Motor Carrier Safety Administration has developed a mobile application that assists [Pre-Employment Screening program](#) participants by providing them with instant access to records without the need to submit a FOIA request. As another example, the [Merit Systems Protection Board's mobile application](#) provides real time access to a variety of topics including the Board's recent decisions, case reports, and studies. Additional information on the different mobile applications offered by agencies is available at [USA.gov](#).

In addition to posting new material to existing pages and spaces on their websites, agencies have also added completely new sections to their websites to make it easier to find certain records. For example, at the Department of the Interior, the U.S. Geological Survey's new [National Geologic Map Database](#) improves the integration of publication citations, stratigraphic nomenclature, downloadable content, and unpublished source information, thereby greatly increasing public access to this important geologic information. Similarly, the Recovery Accountability and Transparency Board completed a revision of the [map available on its website, which visually details all awards reported by recipients of Recovery Act funding](#) on a single page. At the Department of Agriculture, the Economic Research Service created the [U.S.](#)

[Drought 2012: Farm and Food Impacts](#) webpage which contains regularly updated information on the impacts of ongoing droughts on food prices, consumers, farms, and the crop and livestock sectors. Finally, the Board of Governors for the Federal Reserve launched a [new section of its website dedicated to students and teachers](#).

#### *Other Efforts to Increase Proactive Disclosures*

In addition to posting more information online and enhancing agency websites, the Department of Justice also surveyed agencies on any other efforts they undertook to promote proactive disclosures. Several agencies reported using a variety of techniques and tools to increase the amount of information they proactively provide to the public. For example, both OIP and the Census Bureau at the Department of Commerce are utilizing application programming interfaces (APIs) to increase access to information. At OIP, an API is utilized to allow agencies to save [quarterly FOIA data on their websites](#), which then directly appears on [FOIA.gov](#). At the [Census Bureau](#), key demographic, socioeconomic, and housing statistics are made available through APIs for private sector developers to use when designing their own websites and mobile applications.

Other agencies have taken specific measures to ensure that they are proactively identifying records to post on their websites. At the Department of the Interior, Departmental FOIA staff launched new quarterly reporting requirements for each bureau, which includes surveying the bureaus on the steps they have taken to increase their online presence and make proactive disclosures. The Office of Management and Budget reported that it reviews any material that is being released in response to a FOIA request to determine if it would be beneficial for the public for that information to be posted online. Finally, the Social Security Administration has designated one of its staff members to have the responsibility of monitoring the agency's proactive disclosure process. This staff member continuously reviews and updates the agency's website to post new information or provide links to information that would be of interest to the public.

#### **Steps Taken to Utilize Advanced Technology**

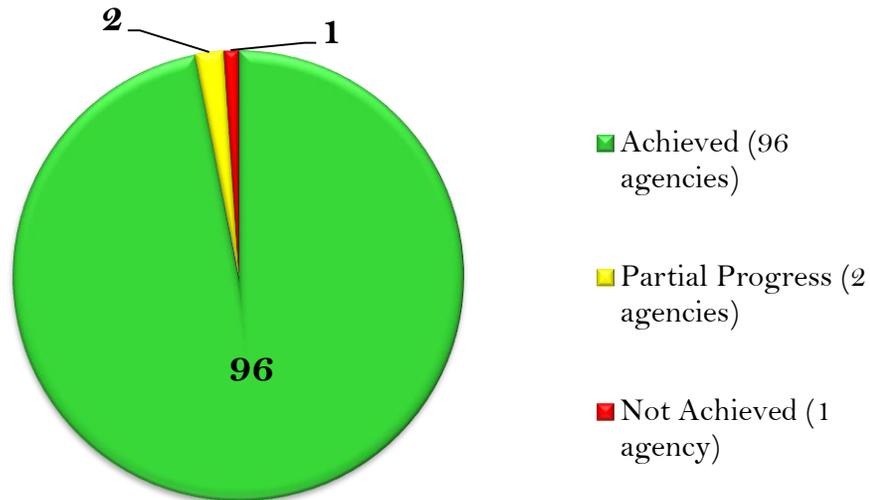
The [President directed agencies](#) to use "modern technology to inform citizens about what is known and done by their Government." In response to this directive, agencies have utilized advanced technology to not only make more information available online and improve their websites, but also to assist in their overall administration of the FOIA. As a part of the [first Chief FOIA Officer Reports, submitted in 2010](#), agencies were surveyed to determine the extent to which they were using technology to receive, track, and process requests, and to prepare their [Annual FOIA Reports](#). The [2010 Reports](#) showed that the vast majority of agencies were using technology for those functions. For the [2012 Reports](#), and [once again this year](#), the Department expanded this section to survey agencies on the extent to which they are using more advanced technologies to assist with the actual processing of requests. Such technologies could include software that can sort and de-duplicate documents, shared platforms that facilitate the FOIA consultation process, and technology that improves the agency's search capabilities. The use of these technologies to reduce the time and labor needed to process requests has great potential for improving agencies' FOIA administration.

#### *Electronic Receipt of FOIA Requests*

Given the convenience that it affords requesters, as a part of this year's assessment, OIP once again scored agencies on whether they offered FOIA requesters the ability to make requests electronically. Ninety-six agencies (an increase of four agencies from last year) reported that

they provided this capability to requesters, with only one agency reporting that it did not. Two agencies were scored yellow for this milestone because they reported having the ability to receive requests by facsimile.

## Offers Ability to Make FOIA Requests Electronically



### Online Tracking of FOIA Requests

The FOIA requires agencies to "establish a telephone line or Internet service that provides information about the status of a request to the person making the request." All ninety-nine agencies have established points of contacts for FOIA requesters to use to ask any questions they might have regarding their request, including its status. In addition, twenty-three agencies reported that they have established the ability for requesters to track the status of their requests online. The capabilities of these online tracking tools vary by agency. A number of agencies reported utilizing online FOIA portals, which are sites that provide requesters with varying details regarding the status of their request. Some of these portals provide requesters with general status information such as the date the request was received and whether it is open or closed. Other portals provide more detailed status information such as if the agency is conducting a search, processing records, consulting with another agency or if the records are under final review. Nine agencies reported that their online tracking feature provides requesters with an estimated date of completion. Another way that some agencies reported providing online tracking information is through the regular posting of FOIA request logs, which allow the public to view whether the request has been received, if it is at the stage of being processed, or if it has been closed. In addition to the twenty-three agencies that reported having online tracking capabilities, thirty-five agencies reported that they are taking steps to establish this ability in the future. On the other hand, several agencies reported that establishing online tracking would not provide much of a public benefit given the small number of requests they receive and their short processing times.

### *Advanced Technology to Process Requests*

During the 2013 reporting period, many agencies implemented the use of advanced technology to achieve greater overall efficiency in their FOIA administration, such as improving records search capabilities, facilitating consultations and referrals, and eliminating time-consuming processes such as de-duplicating and sorting documents. With these potential benefits in mind, [in 2010 OIP convened an inter-agency FOIA Technology Working Group](#) which continued to meet during the reporting period. The Working Group serves as an important forum for agencies to exchange ideas, best practices, and experiences in the utilization of technology in the administration of the FOIA.

Several components of the Department of Justice have begun using commercial document management software typically used in the litigation context to assist with FOIA processing. Recognizing the benefits of using this software, and as part of the Department's [Open Government Plan version 2.0](#), OIP partnered with the Department's Civil Division to conduct a digital-FOIA pilot program that would examine the business case for using these tools in the FOIA context. The pilot program which concluded earlier this year compared the processing of requests using both the digital tools and the conventional methods used by the majority of FOIA offices. As announced through OIP's [FOIA Post](#), [the results of the pilot were very positive](#) and clearly indicated that significant time savings could be achieved by automating the administrative tasks agency FOIA professionals must conduct when processing requests, such as conducting records searches and de-duplicating records. While the pilot illustrates the efficiencies that could be achieved by using more advanced technology, the potential benefits of these tools do not end here. There are various platforms available that allow for the electronic processing, review, and redaction of records. The Department will continue its work in this area to further develop its capabilities in the use of these digital tools and to expand understanding of their benefits, with the goal of helping all agencies employ similar tools for the overall benefit of FOIA administration.

A number of agencies have implemented the use of advanced digital tools to automate or enhance the most time consuming steps of their FOIA process. For example, fifteen agencies, including the Departments of Defense and Commerce and the Commodity Futures Trading Commission have either implemented or are moving towards acquiring tools which automatically de-duplicate records. Thirty-five agencies, including the Departments of Homeland Security, Health and Human Services, State, and Treasury reported that they are instituting advanced search capabilities that will facilitate the location of material responsive to requests. Moreover, as noted in last year's Summary and Assessment, several agencies have implemented collaborative platforms to facilitate not only faster document searches but also more efficient consultations on records. This trend continued during the 2013 reporting period, with several agencies noting that their shared systems have increased the efficiency of their FOIA operations. The Department of the Treasury, for example, implemented *goFOIA* in 2012, which functions as a document management solution that is based on a collaborative shared platform for reviewing records. In addition to managing workflow, *goFOIA* allows Treasury Department FOIA professionals from multiple offices to actively work on the same request. Finally, some agencies such as the Broadcasting Board of Governors and the General Services Administration reported working towards full electronic processing of all FOIA requests from start to finish.

A total of sixty-eight agencies reported in their Chief FOIA Officer Reports that they were using advanced technology to increase the efficiency of their FOIA administration. Another twenty-six agencies were given a black mark for this milestone because they reported that they had no need for more advanced technology in this area given that they are already responding to

requests efficiently without delay. Four agencies were scored yellow indicating partial progress because while they had not implemented anything yet, they were looking into different technological tools that could potentially be used to benefit their FOIA process. Finally, four agencies were scored red for reporting that they were not utilizing advanced technology to increase FOIA efficiency.

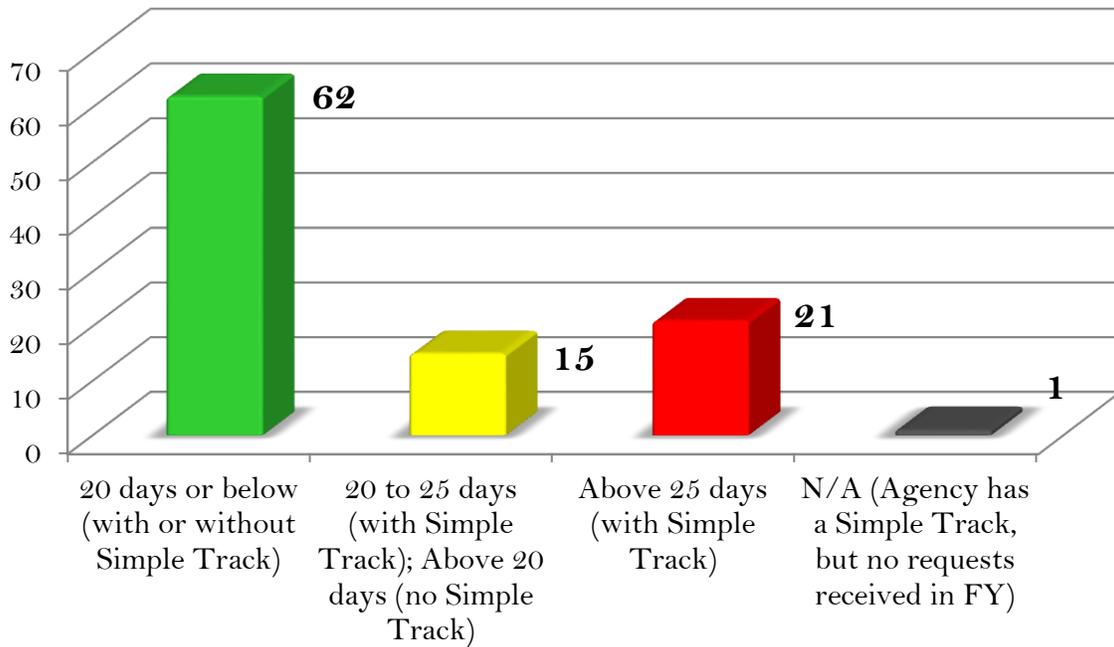
**Steps Taken to Improve Timeliness in Responding to Requests and Reduce Backlogs**

Both the [President's FOIA Memorandum](#) and the [Attorney General's FOIA Guidelines](#) emphasize the importance of timely access to information. Over the past four years, agencies have been working both to improve timeliness in responding to requests and to reduce any backlogs of pending FOIA requests and administrative appeals. As agencies continue their efforts on these fronts, it should be noted that the ability of an agency to respond to a given request more quickly is directly tied to the nature and complexity of that particular request. The time needed to process FOIA requests in the simple track is necessarily quite different from the time needed to process requests in the complex track.

*Time to Process Requests in Agency's "Simple" Track*

Requests that seek access to voluminous amounts of materials or that involve multiple records custodians will necessarily take longer to process than those requests that seek a low volume of records that are simpler to retrieve and process. Because of this reality, the FOIA provides that agencies can establish by regulation separate processing tracks based on the amount of work or the time involved in processing different requests. Agencies that establish separate processing tracks typically process simple requests in a queue that is separate from complex requests. Agencies' [Annual FOIA Reports](#) separately account for the time taken to respond to requests based on the various processing tracks used by the agency, including the simple track.

## Processed "Simple" Requests in 20 Working Days or Less



Because of the strong correlation between the type of request that is made and the ability of the agency to respond to that request more quickly, last year OIP established a milestone that addresses whether the agency overall responded to requests in its simple track within an average of twenty working days or less. In an effort to encourage all agencies to process their simple requests within an average of twenty days or less, OIP once again used this milestone to score agencies in 2013. As mentioned in the methodology above, for this milestone a green score was given to those agencies that established a separate simple track for processing requests and processed those simple requests within an average of twenty days or less. Agencies that did not have a separate track for their simple requests were also given a green score if they were able to process all of their non-expedited requests within an average of twenty days or less. Notably, sixty-two agencies achieved a green score for this milestone.

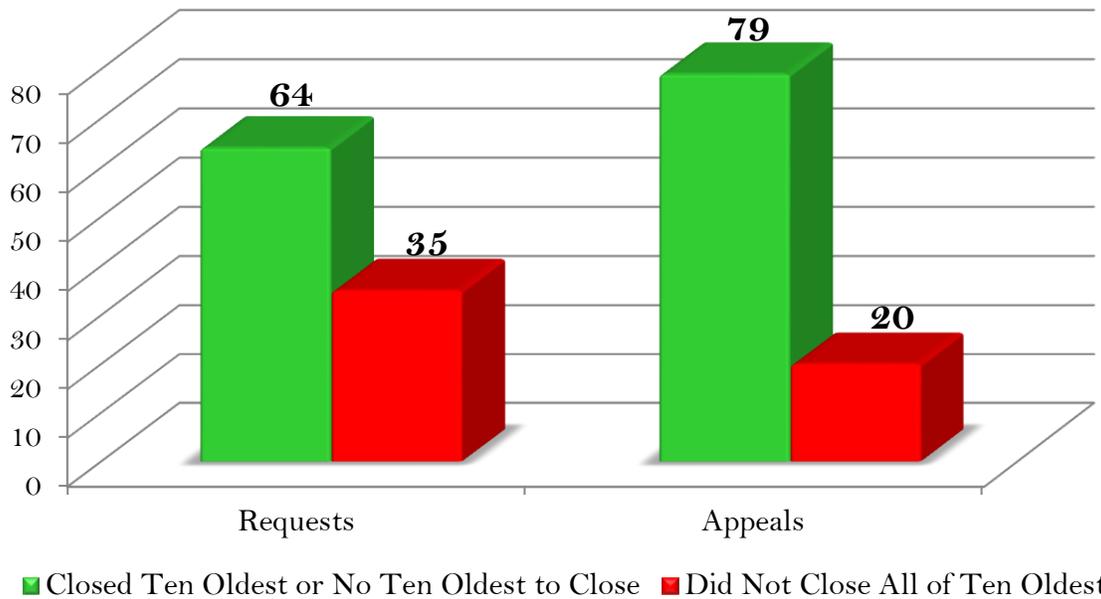
Agencies that were able to process their simple track requests between an average of twenty and twenty-five working days were scored a yellow. A yellow score was also given to those agencies that did not utilize a separate processing track for simple requests and had an overall average processing time of over twenty days. A total of fifteen agencies were scored yellow for this milestone. Nine of these agencies reported that they did not have a separate simple track for processing requests. Of the six agencies that did have a simple track, three – the Department of Housing and Urban Development (20.13 days), the Department of Transportation (20.71 days), and the Federal Maritime Commission (20.4 days) -- reported processing these requests within an average of less than twenty-one working days. Finally, twenty-one agencies were scored red for this milestone because they had a simple track and were not able to process these requests in an average of twenty-five working days or less.

In order to provide more detail for this metric, each agency's score is provided alongside a notation indicating whether the agency has a separate simple track for processing requests. For those agencies that do have a simple track, the actual overall average processing time is also included in the assessment.

### *Closing Ten Oldest Pending Requests and Administrative Appeals*

Another critical component to backlog reduction is reducing the age of the oldest pending requests and appeals. Accordingly, OIP continued to score agencies this year on whether they were able to close their ten oldest pending requests and ten oldest pending appeals during the fiscal year. As noted above, for this milestone OIP did not use a yellow score and instead measured the milestones as either having been fully met or not fully met.

## **Closed Ten Oldest Requests and Appeals from Fiscal Year 2012**



As noted in last year's assessment, agencies have clearly made progress in closing their oldest requests and appeals, and many may have even closed them all since the end of the fiscal year. Nevertheless, as mentioned above, the point of this metric is to take a fixed point in time, specifically, the end of the fiscal year, and to determine whether the ten oldest requests and ten oldest appeals from that fiscal year were closed. With regard to requests, sixty-four agencies were scored green as they were able to close all of their ten oldest requests from FY 2011 by the end of FY 2012 or they had no ten oldest to close. Thirty-five agencies, on the other hand, were scored red because they did not close all of their ten oldest requests by the end of FY 2012.

While thirty-five agencies were not able to attain a green score for closing all of their ten oldest requests, many of these agencies made significant progress toward achieving this goal. In an effort to highlight this progress, for those agencies that received a red score, OIP noted in the assessment the precise number of the ten oldest requests that the agency did close. Notably, the Departments of Agriculture, Education, Labor, and Transportation, and the Federal Election

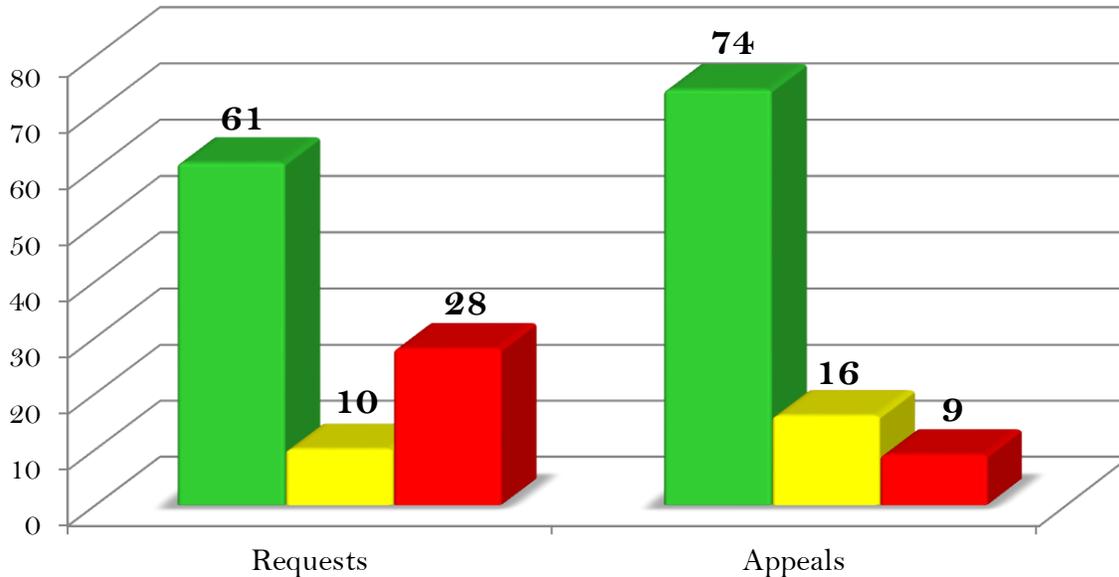
Commission closed all but one of their ten oldest requests during FY 2012. The Department of Education in particular engaged in an aggressive initiative by forming a "Red Team" assigned with the task of closing all of the agency's oldest requests dated between FY 2009 and FY 2010. By the end of the fiscal year, the Red Team was able to close seventy of these eighty-nine requests. Moreover, the Department of Homeland Security, Commodity Future Trading Commission, Council on Environmental Quality, Environmental Protection Agency, National Archives and Records Administration, Tennessee Valley Authority, and the U.S. Postal Service each closed all but two of their ten oldest requests. It should be noted that not all agencies had ten requests to list as their ten oldest requests. For example, the Corporation for National and Community Service and the U.S. Copyright Office both closed four out of their five oldest requests during FY 2012. Of the thirty-five agencies that were scored red, only two were not able to close any of their oldest requests.

When examining the milestone for administrative FOIA appeals, for the second year in a row, fifty-seven agencies finished FY 2012 with no pending appeals to close. These agencies joined another twenty-two agencies that were able to close all of their ten oldest appeals, for a total of seventy-nine green scores. As with the oldest requests, although there were twenty agencies that did not close their ten oldest appeals by the end of the fiscal year, many of these agencies made significant progress towards achieving this goal. For example, the Departments of Treasury and Transportation, the Securities and Exchange Commission, and the U.S. Postal Service were each able to close all but one of their ten oldest appeals, and the Department of Labor was able to close all but two. Of the twenty agencies that scored red for this milestone, only three did not close any of their ten oldest appeals by the end of the fiscal year. As with the milestone for closing an agency's ten oldest requests, for those agencies that received a red score, this year's assessment includes the precise number of these appeals that the agency did close.

#### *Reducing Any Backlogs*

Reducing overall agency backlogs is yet another important area of FOIA administration where agencies continue to work to make improvements. Notably, at the end of FY 2012 the government's overall backlog of pending FOIA requests was reduced by 14% when compared to the backlog reported at the close of the prior fiscal year.

## Backlog Reduction



■ Decrease or No Backlog Reported at end of FY '11 or end of FY '12

■ Slight Increase (Requests - 8 agencies; Appeals - 12 agencies) or No Change in Backlog (Requests - 2 agencies; Appeals 4 agencies)

■ Increase

For the assessment, a total of sixty-one agencies were afforded a score of green because they either reduced their backlog of requests (thirty-four agencies) or they had no request backlog to reduce (twenty-seven agencies). Six of the thirty-four agencies that reduced their request backlog were able to close all of their backlogged requests by the end of the fiscal year. Ten agencies were scored yellow because they either experienced a slight increase in their backlog of five or less requests or they had no change in the size of their backlog from the prior fiscal year. Twenty-eight agencies were scored red because their backlog increased by more than five requests. Notably, however, of the ninety-nine agencies subject to the FOIA, sixty-three reported that they had a backlog of twenty or fewer requests.

A number of agencies made significant strides in helping reduce the government's overall request backlogs. Perhaps most impressive is the work done by the Department of Homeland Security to reduce its request backlog by nearly 33% despite receiving 15,000 more requests than in the prior fiscal year. The Departments of Defense, Health and Human Services, and Veterans Affairs, as well as the National Archives and Records Administration and Office of Personnel Management were also able to achieve significant backlog reductions of between 124 and 889 requests. The Department of the Treasury's effort to reduce its request backlog every year since FY 2006 is also noteworthy. This effort led to the Treasury Department closing FY 2012 with 282 backlogged requests, a significant 86% reduction from the 2,022 requests it reported as backlogged in FY 2006.

When examining the milestone for administrative appeals, a total seventy-four agencies were scored green because they either decreased their existing backlog (eighteen agencies) or they had no backlog of appeals to decrease (fifty-six agencies). Five of the eighteen agencies that reduced their appeals backlog were able to close all of their backlogged appeals by the end of the fiscal year. Sixteen agencies were given a yellow score because they either reported a slight increase of five or less backlogged appeals (twelve agencies) or they reported no change (four agencies) in the size of their backlog at the end of the fiscal year. Nine agencies were scored a red because their backlog increased by more than five appeals.

There are many factors that can contribute to an increase in an agency's backlog of FOIA requests or administrative appeals. Some of the most common factors include a reduction in the agency's staff, an increase in the number of requests or appeals the agency receives, or an increase in the complexity of those requests or appeals. As part of the 2013 Chief FOIA Officer Reports, OIP asked those agencies that were not able to reduce their backlogs to describe some of the obstacles they faced in meeting this milestone. For request backlogs, twenty-eight agencies noted that an increase in the complexity of the requests they received contributed to them not being able to achieve a green score. Twenty-four agencies noted a loss of staff or staffing vacancies as a contributing factor and seventeen agencies explained that an increase in the volume of incoming requests was an issue. Additionally, three agencies noted that they were not able to reduce their backlogs because of pending consultations at other agencies.

For those agencies that were unable to reduce their backlog of administrative appeals, twelve reported that an increase in the number of incoming appeals was a contributing factor. Moreover, eleven agencies noted a loss of staff as an issue and ten agencies explained that an increase in the complexity of the appeals they received made backlog reduction difficult. It is important to note that these factors are not mutually exclusive as some agencies cited a combination of factors that prevented them from reducing their backlogs. Furthermore, while these are some of the most common factors agencies pointed to as reasons for not reducing backlogs, agencies described the unique challenges they faced during the fiscal year with more specificity in their Chief FOIA Officer Reports.

### *Providing Interim Responses*

OIP has issued [guidance to agencies encouraging them to make interim releases](#) whenever they are working on requests that involve a voluminous amount of material or require searches in multiple locations. By providing rolling releases to requesters agencies facilitate more prompt access to the requested information, which benefits both the requester and the agency. Receiving interim responses, allows requesters to be in a better position to determine if the scope of their request can be narrowed or if they are still interested in the remaining records that need to be processed. As a part of this year's Chief FOIA Officer Reports, OIP asked agencies that had a backlog of pending requests in FY 2012 to provide an estimate of the number of cases where a substantive, interim response was provided to the requester even though the request was not fully closed. Although several agencies noted that this question was not applicable to them, many reported that they were able to provide interim responses in a large portion of cases. Among those agencies that provided an estimated number of requests in which interim responses were provided, the Department of Veterans Affairs reported the most with 2,858. The next largest estimate came from the Department of Homeland Security which estimated providing interim responses in over 1,000 requests. The Departments of Agriculture, Justice, Treasury, and Health and Human Services all estimated that they had provided interim responses for between 300 and 600 requests. Additionally, the Department of Energy (45%), Department of Commerce (40%), Office of Personnel Management (30%), Small Business Administration (30%), Office of the U.S. Trade Representative (20%), and Department of the

Interior (18%) all provided significant estimates reflecting the percentage of requests in which they provided an interim response. In all, forty-six agencies provided interim responses to requesters during FY 2012.

**Use of Law Enforcement Exclusions**

On September 14, 2012, OIP issued guidance to agencies on the implementation of the FOIA's statutory exclusion provisions, which included four new requirements that bring greater accountability and transparency to this part of the law. One of the requirements of the new guidance is that agencies must now publicly report in their Chief FOIA Officer Reports on the number of times they used an exclusion during the prior fiscal year. During FY 2012, only six agencies reported using an exclusion for a total of 194 times. When compared to the 464,985 requests reviewed by the government during FY 2012 for exemption applicability, exclusions were used in response to 0.04% of requests processed for disclosure. Of the six agencies that used an exclusion in FY 2012, four -- the Departments of Energy, State, and Commerce, and the Environmental Protection Agency -- only used it one time. The other two agencies that used exclusions were the Department of Homeland Security, which used them sixteen times (0.01% of requests processed for disclosure), and the Department of Justice which reported using exclusions 174 times (0.43% of requests processed for disclosure).

## **OIP Guidance for Further Improvement Based on 2013 Assessment**

As illustrated by OIP's 2013 Assessment of Agency Progress in Implementing the President's and Attorney General's FOIA Memoranda, agencies have accomplished a great deal over the past year to apply the presumption of openness, make more proactive disclosures, utilize technology for the benefit of FOIA administration, improve timeliness, and reduce backlogs. While the government overall has made significant improvements, the results achieved by individual agencies vary. OIP's Assessment serves as a visual snapshot of where each agency should focus its efforts in the upcoming year to achieve even greater success in implementing the [President's Memorandum on the FOIA](#) and the [Attorney General's FOIA Guidelines](#). To assist agencies, OIP offers the following guidance based on our 2013 Assessment.

### *Focus on Quality Training*

A proper understanding of the FOIA, including the correct application of the [statute's](#) provisions and the [Attorney General's FOIA Guidelines](#), is the first step towards any successful FOIA operation. OIP's Assessment shows that the vast majority of agencies are either holding training conferences or sending their FOIA professionals to training hosted by other agencies. These efforts vary by agency, though, with some agencies citing one or two training sessions attended by staff and others hosting multiple FOIA conferences and having all of their FOIA professionals attend regular training.

OIP advises every agency to make FOIA training available to all their FOIA professionals at least once each year. Moreover, it is essential that FOIA training programs cover core, substantive aspects of FOIA administration. Agencies that have been engaged in robust training initiatives should continue these efforts. Agencies that are in need of training are encouraged to take advantage of the many FOIA training opportunities available around the government or to plan a comprehensive FOIA conference tailored to the needs of their own agency. OIP regularly conducts a number of government-wide training sessions that cover all aspects of the FOIA. OIP's subject matter experts are also available to provide specialized training for agencies on any FOIA topic. For more information about OIP's upcoming training events and how to attend please visit the "[Training](#)" page of our website. In addition, agencies can contact OIP's Training Officer to arrange for assistance in holding an in-house training program.

### *Focus on Processing "Simple" Track Requests Within Twenty Working Days*

The [Attorney General has emphasized](#) that "[t]imely disclosure of information is an essential component of transparency." The government overall showed improvement on this front with sixty-three agencies processing their "simple track" requests within an average of twenty days or less and several more being very close to meeting this goal. However, there are still a number of agencies with longer processing times. Agencies that are taking longer than an average of twenty days to process their simple requests should reexamine their FOIA process and strive to meet this milestone. Furthermore, OIP advises those agencies with high processing times that have not established multi-track processing to consider doing so. As explained in last year's [guidance](#), multi-track systems provide a mechanism for agencies to process their simple requests in a different queue from their complex requests, which in turn can allow for improved timeliness for the simple requests. Differentiating the processing queues also allows agencies to provide requesters with meaningful choices regarding processing times, based on the complexity of the request.

*Focus on Closing the “Ten Oldest”*

Finally, all agencies should continue to make it a priority to close their ten oldest pending requests and appeals each fiscal year. Our sustained efforts to close these requests and appeals every year is essential to reducing the age of the government's backlogs and resolving those cases that have been lingering for years. In addition to closing their oldest requests and appeals, for those agencies that receive consultations from other agencies it is equally important to close their ten oldest pending consultations. This ensures that the agencies that sent the consultations can have the responses they need in order to close out the requests.



## 2013 Chief FOIA Officer Reports Assessment of Federal Departments and Agencies

Agency	Section I: Applying the Presumption of Openness				Section II: Effective Systems for Responding to Requests			Section III: Increasing Proactive Disclosures		Section IV: Utilization of Technology (Tech.)		Section V: Reducing Backlogs & Improving Timeliness in Responding to Requests (Req.) and Appeals (App.)								
	Conducted or Attended FOIA Training or Conferences	Made Discretionary Disclosures of Information	High Release Rate for Req. Processed for Disclosure		FOIA Staff Has Sufficient IT Support	FOIA Staff Works with Open Gov. Team	Taken Steps to Assess if there is Adequate Staffing	Taken Steps to Make Website More Useful to Public	Added New Material to Website	Offers Ability to Make FOIA Requests Electronically	Utilizing Advanced Tech. to Increase FOIA Efficiency	Processed Simple Req. in 20 Working Days or Less			Agency Decreased Number of Backlogged:		Closed All Ten Oldest Req. & App. If not, # closed in FY 2012			
			Score	Release Rate								Simple Track Y/N:	Score	Avg. No. of Days	Req.	App.	Req., Y/N:	If no, # closed	App. Y/N:	If no, # closed
ACUS	Yellow	Black	Green	100.0%	Green	Green	Green	Green	Green	Green	Black	Y	Green	2	Green	Green	Green	N/A	Green	N/A
ABMC	Green	Black	Green	100.0%	Green	Red	Green	Green	Green	Green	Black	N	Green	13	Yellow	Green	Green	N/A	Green	N/A
Amtrak	Green	Green	Yellow	86.6%	Green	Black	Green	Green	Green	Green	Green	Y	Green	7.87	Green	Green	Green	N/A	Green	N/A
AFRH	Green	Yellow	Yellow	75.0%	Green	Green	Green	Green	Green	Green	Green	Y	Red	111	Green	Green	Green	N/A	Green	N/A
FRB	Green	Green	Green	91.4%	Green	Green	Green	Green	Green	Green	Green	Y	Green	3	Red	Yellow	Red	5/10	Red	0/1
BBG	Green	Green	Green	91.3%	Green	Green	Green	Green	Green	Red	Green	N	Yellow	N/A	Green	Green	Green	N/A	Green	N/A
CIA	Green	Green	Red	41.4%	Green	Green	Green	Green	Green	Green	Green	Y	Red	32	Red	Red	Red	2/10	Red	0/10
CSB	Red	Yellow	Red	65.5%	Green	Green	Green	Green	Green	Green	Green	Y	Green	17	Green	Green	Red	7/10	Green	N/A
CPPBSD	Green	Green	Green	100.0%	Green	Green	Green	Green	Green	Green	Black	Y	Green	9.5	Green	Green	Green	N/A	Green	N/A
CFTC	Green	Green	Green	90.8%	Green	Green	Green	Green	Green	Green	Green	Y	Red	46.52	Red	Yellow	Red	8/10	Red	1/2
CNCS	Green	Green	Green	97.4%	Green	Green	Green	Green	Green	Green	Green	Y	Red	29	Red	Yellow	Red	4/5	Green	N/A
CIGIE	Black	Green	Green	100.0%	Black	Black	Green	Green	Green	Green	Black	Y	Green	13	Yellow	Yellow	Green	N/A	Green	N/A
CEQ	Green	Green	Green	95.5%	Green	Green	Green	Green	Red	Green	Yellow	Y	Red	26	Green	Green	Red	8/10	Green	N/A
CSOSA	Green	Red	Green	100.0%	Green	Green	Green	Green	Green	Green	Red	Y	Red	37	Green	Green	Green	N/A	Green	N/A
DNFSB	Green	Black	Green	100.0%	Green	Green	Green	Green	Green	Green	Yellow	Y	Green	11	Green	Green	Green	N/A	Green	N/A
USDA	Green	Green	Green	97.9%	Green	Green	Green	Green	Green	Green	Green	Y	Red	33.12	Red	Red	Red	9/10	Red	6/10
DOC	Green	Green	Yellow	86.4%	Green	Green	Green	Green	Green	Green	Green	Y	Green	18	Red	Green	Red	5/10	Red	5/10

Key: Green - Achieved; Yellow - Progress Made; Red - Not Achieved; Black - Not Applicable



## 2013 Chief FOIA Officer Reports Assessment of Federal Departments and Agencies

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			Score	Release Rate								Simple Track Y/N:	Score	Avg. No. of Days	Req.	App.	Req., Y/N:	If no, # closed	App. Y/N:	If no, # closed
DOD	●	●	●	92.9%	●	●	●	●	●	●	●	Y	●	11	●	●	●	6/10	●	4/10
ED	●	●	●	95.0%	●	●	●	●	●	●	●	Y	●	35.71	●	●	●	9/10	●	5/10
DOE	●	●	●	97.1%	●	●	●	●	●	●	●	Y	●	39.92	●	●	●	4/10	●	7/10
HHS	●	●	●	88.5%	●	●	●	●	●	●	●	Y	●	35	●	●	●	N/A	●	N/A
DHS	●	●	●	99.2%	●	●	●	●	●	●	●	Y	●	72	●	●	●	8/10	●	6/10
HUD	●	●	●	93.6%	●	●	●	●	●	●	●	Y	●	20.13	●	●	●	N/A	●	N/A
DOJ	●	●	●	94.3%	●	●	●	●	●	●	●	Y	●	18.93	●	●	●	N/A	●	N/A
Labor	●	●	●	87.3%	●	●	●	●	●	●	●	Y	●	48	●	●	●	9/10	●	8/10
State	●	●	●	55.6%	●	●	●	●	●	●	●	Y	●	88	●	●	●	N/A	●	N/A
DOI	●	●	●	96.1%	●	●	●	●	●	●	●	Y	●	2	●	●	●	N/A	●	N/A
Treasury	●	●	●	93.2%	●	●	●	●	●	●	●	Y	●	17.26	●	●	●	2/10	●	9/10
DOT	●	●	●	98.8%	●	●	●	●	●	●	●	Y	●	20.71	●	●	●	9/10	●	9/10
VA	●	●	●	79.6%	●	●	●	●	●	●	●	Y	●	10.61	●	●	●	5/10	●	3/10
EPA	●	●	●	98.2%	●	●	●	●	●	●	●	Y	●	16.93	●	●	●	8/10	●	6/10
EEOC	●	●	●	85.4%	●	●	●	●	●	●	●	Y	●	18	●	●	●	N/A	●	N/A
Ex-Im Bank	●	●	●	100.0%	●	●	●	●	●	●	●	Y	●	49.68	●	●	●	7/10	●	0/1
FCA	●	●	●	86.4%	●	●	●	●	●	●	●	Y	●	11.71	●	●	●	N/A	●	N/A

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## 2013 Chief FOIA Officer Reports Assessment of Federal Departments and Agencies

U.S. Department of Justice  
Office of Information Policy

Agency	Section I: Applying the Presumption of Openness				Section II: Effective Systems for Responding to Requests			Section III: Increasing Proactive Disclosures		Section IV: Utilization of Technology (Tech.)		Section V: Reducing Backlogs & Improving Timeliness in Responding to Requests (Req.) and Appeals (App.)								
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			Score	Release Rate								Simple Track Y/N:	Score	Avg. No. of Days	Req.	App.	Req., Y/N:	If no, # closed	App. Y/N:	If no, # closed
FCSIC	●	●	●	100.0%	●	●	●	●	●	●	●	N	●	13.8	●	●	●	N/A	●	N/A
FCC	●	●	●	95.9%	●	●	●	●	●	●	●	Y	●	26	●	●	●	7/10	●	N/A
FDIC	●	●	●	88.6%	●	●	●	●	●	●	●	Y	●	8.81	●	●	●	N/A	●	N/A
FEC	●	●	●	92.3%	●	●	●	●	●	●	●	Y	●	49	●	●	●	9/10	●	N/A
FERC	●	●	●	88.5%	●	●	●	●	●	●	●	Y	●	23	●	●	●	N/A	●	N/A
FFIEC	●	●	●	92.3%	●	●	●	●	●	●	●	N	●	9.95	●	●	●	N/A	●	N/A
FHFA	●	●	●	81.3%	●	●	●	●	●	●	●	Y	●	11.03	●	●	●	N/A	●	N/A
FLRA	●	●	●	100.0%	●	●	●	●	●	●	●	Y	●	11	●	●	●	N/A	●	N/A
FMC	●	●	●	94.5%	●	●	●	●	●	●	●	Y	●	20.4	●	●	●	N/A	●	N/A
FMCS	●	●	●	97.4%	●	●	●	●	●	●	●	Y	●	7.5	●	●	●	N/A	●	N/A
FMSHRC	●	●	●	100.0%	●	●	●	●	●	●	●	Y	●	3.6	●	●	●	N/A	●	N/A
FOMC	●	●	●	100.0%	●	●	●	●	●	●	●	Y	●	7.6	●	●	●	N/A	●	N/A
FRTIB	●	●	●	100.0%	●	●	●	●	●	●	●	N	●	N/A	●	●	●	N/A	●	N/A
FTC	●	●	●	98.3%	●	●	●	●	●	●	●	Y	●	5.29	●	●	●	N/A	●	N/A
GSA	●	●	●	96.2%	●	●	●	●	●	●	●	N	●	N/A	●	●	●	N/A	●	N/A
IMLS	●	●	●	100.0%	●	●	●	●	●	●	●	Y	●	8.9	●	●	●	N/A	●	N/A
IAF	●	●	●	100.0%	●	●	●	●	●	●	●	N	●	13.9	●	●	●	N/A	●	N/A

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**2013 Chief FOIA Officer Reports  
Assessment of Federal Departments and Agencies**

Agency	Section I: Applying the Presumption of Openness				Section II: Effective Systems for Responding to Requests			Section III: Increasing Proactive Disclosures		Section IV: Utilization of Technology (Tech.)		Section V: Reducing Backlogs & Improving Timeliness in Responding to Requests (Req.) and Appeals (App.)								
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			Score	Release Rate								Simple Track Y/N:	Score	Avg. No. of Days	Req.	App.	Req., Y/N:	If no, # closed	App. Y/N:	If no, # closed
LSC	●	●	●	93.1%	●	●	●	●	●	●	●	Y	●	8.11	●	●	●	N/A	●	N/A
MSPB	●	●	●	94.2%	●	●	●	●	●	●	●	Y	●	10	●	●	●	N/A	●	N/A
MCC	●	●	●	95.0%	●	●	●	●	●	●	●	N	●	15	●	●	●	N/A	●	N/A
NASA	●	●	●	90.2%	●	●	●	●	●	●	●	Y	●	9.92	●	●	●	N/A	●	N/A
NARA	●	●	●	98.1%	●	●	●	●	●	●	●	Y	●	57.5	●	●	●	8/10	●	N/A
NCPC	●	●	●	100.0%	●	●	●	●	●	●	●	N	●	3	●	●	●	N/A	●	N/A
NCUA	●	●	●	83.7%	●	●	●	●	●	●	●	Y	●	18.52	●	●	●	N/A	●	N/A
NEA	●	●	●	95.2%	●	●	●	●	●	●	●	Y	●	14	●	●	●	N/A	●	N/A
NEH	●	●	●	100.0%	●	●	●	●	●	●	●	Y	●	15.4	●	●	●	N/A	●	N/A
NIGC	●	●	●	91.7%	●	●	●	●	●	●	●	Y	●	53.95	●	●	●	4/10	●	N/A
NLRB	●	●	●	95.4%	●	●	●	●	●	●	●	N	●	6	●	●	●	N/A	●	N/A
NMB	●	●	●	100.0%	●	●	●	●	●	●	●	N	●	N/A	●	●	●	N/A	●	N/A
NSF	●	●	●	97.0%	●	●	●	●	●	●	●	N	●	N/A	●	●	●	0/10	●	N/A
NTSB	●	●	●	46.3%	●	●	●	●	●	●	●	Y	●	18.53	●	●	●	N/A	●	N/A
NRC	●	●	●	95.5%	●	●	●	●	●	●	●	Y	●	10	●	●	●	4/10	●	N/A
OSHRC	●	●	●	96.5%	●	●	●	●	●	●	●	Y	●	11.2	●	●	●	N/A	●	N/A
OGE	●	●	●	94.1%	●	●	●	●	●	●	●	N	●	10.96	●	●	●	N/A	●	N/A

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			Score	Release Rate								Simple Track Y/N:	Score	Avg. No. of Days	Req.	App.	Req., Y/N:	If no, # closed	App. Y/N:	If no, # closed
OMB	●	●	●	93.3%	●	●	●	●	●	●	●	N	●	N/A	●	●	●	N/A	●	N/A
ONDCP	●	●	●	94.7%	●	●	●	●	●	●	●	N	●	15	●	●	●	N/A	●	N/A
ONHIR	●	●	●	100.0%	●	●	●	●	●	●	●	N	●	5.5	●	●	●	N/A	●	N/A
OPM	●	●	●	99.9%	●	●	●	●	●	●	●	N	●	16	●	●	●	N/A	●	N/A
OSTP	●	●	●	96.9%	●	●	●	●	●	●	●	Y	●	12.3	●	●	●	N/A	●	N/A
OSC	●	●	●	61.1%	●	●	●	●	●	●	●	Y	●	29	●	●	●	3/10	●	2/9
ODNI	●	●	●	82.5%	●	●	●	●	●	●	●	Y	●	16.54	●	●	●	3/10	●	4/10
USTR	●	●	●	100.0%	●	●	●	●	●	●	●	Y	●	22	●	●	●	6/10	●	N/A
OPIC	●	●	●	96.3%	●	●	●	●	●	●	●	N	●	18.37	●	●	●	N/A	●	N/A
PC	●	●	●	96.6%	●	●	●	●	●	●	●	Y	●	25	●	●	●	5/10	●	N/A
PBGC	●	●	●	99.6%	●	●	●	●	●	●	●	N	●	7	●	●	●	N/A	●	N/A
PRC	●	●	●	100.0%	●	●	●	●	●	●	●	N	●	N/A	●	●	●	N/A	●	N/A
RRB	●	●	●	94.9%	●	●	●	●	●	●	●	N	●	N/A	●	●	●	N/A	●	N/A
RATB	●	●	●	100.0%	●	●	●	●	●	●	●	N	●	10.4	●	●	●	N/A	●	N/A
SEC	●	●	●	85.0%	●	●	●	●	●	●	●	Y	●	14	●	●	●	5/10	●	9/10
SSS	●	●	●	100.0%	●	●	●	●	●	●	●	N	●	2	●	●	●	N/A	●	N/A
SBA	●	●	●	99.0%	●	●	●	●	●	●	●	N	●	4.2	●	●	●	N/A	●	N/A

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SSA	●	●	●	97.9%	●	●	●	●	●	●	●	Y	●	19	●	●	●	N/A	●	N/A
SIGAR	●	●	●	55.6%	●	●	●	●	●	●	●	N	●	N/A	●	●	●	N/A	●	N/A
SIGIR	●	●	●	100.0%	●	●	●	●	●	●	●	N	●	12	●	●	●	N/A	●	N/A
STB	●	●	●	100.0%	●	●	●	●	●	●	●	N	●	5.9	●	●	●	N/A	●	N/A
TVA	●	●	●	94.2%	●	●	●	●	●	●	●	Y	●	7.7	●	●	●	8/10	●	N/A
USADF	●	●	●	100.0%	●	●	●	●	●	●	●	N	●	10	●	●	●	N/A	●	N/A
USAID	●	●	●	94.6%	●	●	●	●	●	●	●	Y	●	163.02	●	●	●	7/10	●	1/10
USCCR	●	●	●	100.0%	●	●	●	●	●	●	●	Y	●	7	●	●	●	N/A	●	N/A
USCPSC	●	●	●	98.2%	●	●	●	●	●	●	●	Y	●	35	●	●	●	3/10	●	N/A
USCO	●	●	●	100.0%	●	●	●	●	●	●	●	Y	●	18.6	●	●	●	4/5	●	N/A
USIBWC	●	●	●	100.0%	●	●	●	●	●	●	●	Y	●	5.6	●	●	●	N/A	●	N/A
USITC	●	●	●	94.5%	●	●	●	●	●	●	●	Y	●	12	●	●	●	N/A	●	N/A
USPS	●	●	●	72.0%	●	●	●	●	●	●	●	Y	●	15.06	●	●	●	8/10	●	9/10
USTDA	●	●	●	100.0%	●	●	●	●	●	●	●	Y	●	N/A	●	●	●	0/1	●	N/A
Total No. of Grades in Each Field	● 88 ● 3 ● 7 ● 1	● 66 ● 16 ● 5 ● 12	● 78 ● 15 ● 6 ● 0	● 98 ● 0 ● 0 ● 1	● 86 ● 1 ● 1 ● 11	● 96 ● 1 ● 0 ● 2	● 96 ● 0 ● 1 ● 2	● 98 ● 0 ● 1 ● 0	● 96 ● 2 ● 1 ● 0	● 68 ● 4 ● 4 ● 26	● 62 ● 15 ● 21 ● 1	● 61 ● 10 ● 28	● 74 ● 16 ● 9	● 64 ● 35	● 79 ● 20					



**2013 Chief FOIA Officer Reports**  
Agency Names and Acronyms

**U.S. Department of Justice**  
*Office of Information Policy*

Agency	Acronym
Administrative Conference of the United States	ACUS
American Battle Monuments Commission	ABMC
National Railroad Passenger Corporation - Amtrak	Amtrak
Armed Forces Retirement Home	AFRH
Board of Governors of the Federal Reserve System	FRB
Broadcasting Board of Governors	BBG
Central Intelligence Agency	CIA
Chemical Safety and Hazard Investigation Board	CSB
Committee for Purchase from People Who Are Blind or Severely Disabled	CPPBSD
Commodity Futures Trading Commission	CFTC
Corporation for National and Community Service	CNCS
Council of the Inspectors General on Integrity and Efficiency	CIGIE
Council on Environmental Quality	CEQ
Court Services and Offender Supervision Agency	CSOSA
Defense Nuclear Facilities Safety Board	DNFSB
Department of Agriculture	USDA
Department of Commerce	DOC
Department of Defense	DOD
Department of Education	ED
Department of Energy	DOE
Department of Health and Human Services	HHS
Department of Homeland Security	DHS
Department of Housing and Urban Development	HUD
Department of Justice	DOJ
Department of Labor	DOL
Department of State	State
Department of the Interior	DOI
Department of the Treasury	Treasury
Department of Transportation	DOT
Department of Veterans Affairs	VA
Environmental Protection Agency	EPA
Equal Employment Opportunity Commission	EEOC
Export-Import Bank	Ex-Im Bank
Farm Credit Administration	FCA
Farm Credit System Insurance Corporation	FCSIC
Federal Communications Commission	FCC
Federal Deposit Insurance Corporation	FDIC
Federal Election Commission	FEC

Agency	Acronym
Federal Energy Regulatory Commission	FERC
Federal Financial Institutions Examination Council	FFIEC
Federal Housing Finance Agency	FHFA
Federal Labor Relations Authority	FLRA
Federal Maritime Commission	FMC
Federal Mediation and Conciliation Service	FMCS
Federal Mine Safety and Health Review Commission	FMSHRC
Federal Open Market Committee	FOMC
Federal Retirement Thrift Investment Board	FRTIB
Federal Trade Commission	FTC
General Services Administration	GSA
Institute of Museum and Library Services	IMLS
Inter-American Foundation	IAF
Legal Services Corporation	LSC
Merit Systems Protection Board	MSPB
Millennium Challenge Corporation	MCC
National Aeronautics and Space Administration	NASA
National Archives and Records Administration	NARA
National Capital Planning Commission	NCPC
National Credit Union Administration	NCUA
National Endowment for the Arts	NEA
National Endowment for the Humanities	NEH
National Indian Gaming Commission	NIGC
National Labor Relations Board	NLRB
National Mediation Board	NMB
National Science Foundation	NSF
National Transportation Safety Board	NTSB
Nuclear Regulatory Commission	NRC
Occupational Safety and Health Review Commission	OSHRC
Office of Government Ethics	OGE
Office of Management and Budget	OMB
Office of National Drug Control Policy	ONDCP
Office of Navajo and Hopi Indian Relocation	ONHIR
Office of Personnel Management	OPM
Office of Science and Technology Policy	OSTP
Office of Special Counsel	OSC
Office of the Director of National Intelligence	ODNI
Office of the U.S. Trade Representative	USTR



**2013 Chief FOIA Officer Reports**  
Agency Names and Acronyms

**U.S. Department of Justice**  
*Office of Information Policy*

Agency (Key Agencies in Blue)	Acronym
Overseas Private Investment Corporation	OPIC
Peace Corps	PC
Pension Benefit Guaranty Corporation	PBGC
Postal Regulatory Commission	PRC
Railroad Retirement Board	RRB
Recovery Accountability and Transparency Board	RATB
Securities and Exchange Commission	SEC
Selective Service System	SSS
Small Business Administration	SBA
Social Security Administration	SSA
Special Inspector General for Afghanistan Reconstruction	SIGAR
Special Inspector General for Iraq Reconstruction	SIGIR
Surface Transportation Board	STB
Tennessee Valley Authority	TVA
U.S. African Development Foundation	USADF
U.S. Agency for International Development	USAID
U.S. Commission on Civil Rights	USCCR
U.S. Consumer Product Safety Commission	USCPSC
U.S. Copyright Office	USCO
U.S. International Boundary and Water Commission	USIBWC
U.S. International Trade Commission	USITC
U.S. Postal Service	USPS
U.S. Trade and Development Agency	USTDA