



Summary of Agency Chief FOIA Officer  
Reports for 2021  
*and*  
Assessment of Agency Progress in FOIA  
Administration  
*with*  
OIP Guidance for Further Improvement

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## Introduction

The Freedom of Information Act (FOIA) requires each agency Chief FOIA Officer to "review and report to the Attorney General, through the head of the agency, at such times and in such formats as the Attorney General may direct, on the agency's performance in implementing [the FOIA]." <sup>1</sup> Each year, the Department's Office of Information Policy (OIP) provides [guidance](#) to agencies on the content of these reports. As in prior years, after reviewing all agencies' [2021 Chief FOIA Officer Reports](#), as well as their [Fiscal Year \(FY\) 2020 Annual FOIA Reports](#), OIP has prepared a brief summary of agency progress over the past year.

Based on its review, OIP has also conducted a detailed assessment of all agencies subject to the FOIA that received more than 50 requests, scoring each one on multiple milestones. A visual snapshot of this assessment is provided in Figure 1 below. While all of these agencies had the same reporting guidelines, OIP continued to separately assess the twenty-seven high-volume agencies receiving more than 1,000 requests and the forty-two medium-volume agencies receiving between 50-1,000 requests. Based on its review, OIP has also issued guidance to agencies for continued improvement in the years ahead.

2021 Chief FOIA Officer Reports - Assessment of Federal Departments and Agencies Agencies Receiving More than 1,000 Requests (FY 2019)												
Section I: Steps Taken to Apply the Presumption of Openness							Section II: Effective System for Responding to Requests		Section III: Proactive Disclosures	Section IV: Use of Technology		
Agency	CFO Level	Training		Agency Conducted Outreach with Requester Community	Outreach to Non-FOIA Staff	Adjudicating Requests for Expedited Processing		Making Information More Useful	Reviewed Website	Quarterly Report Postings	FY 2019 Raw Data Posting	
		Attended FOIA Training	Estimate of FOIA Professionals who Attended Training			Average Number of Days <10	Average Number of Days					
CIA	█	█	█	100%	█	█	█	5.17	█	█	█	
DHS	█	█	█	99%	█	█	█	34.7	█	█	█	
DOC	█	█	█	88%	█	█	█	28.87	█	█	█	
DOD	█	█	█	79%	█	█	█	7.06	█	█	█	
DOE	█	█	█	80%	█	█	█	9.2	█	█	█	
DOI	█	█	█	95%	█	█	█	33.28	█	█	█	
DOJ	█	█	█	90%	█	█	█	6.96	█	█	█	
DOT	█	█	█	85%	█	█	█	1.52	█	█	█	
ED	█	█	█	90%	█	█	█	24.35	█	█	█	
EEOC	█	█	█	90%	█	█	█	11.25	█	█	█	
EPA	█	█	█	100%	█	█	█	21.06	█	█	█	
FTC	█	█	█	100%	█	█	█	6.6	█	█	█	
GSA	█	█	█	100%	█	█	█	2.31	█	█	█	
HHS	█	█	█	85%	█	█	█	6.06	█	█	█	
HUD	█	█	█	80%	█	█	█	12.06	█	█	█	
Labor	█	█	█	98%	█	█	█	75.6	█	█	█	

Figure 1: 2021 Chief FOIA Officer Reports - Assessment of Federal Departments and Agencies

<sup>1</sup> 5 U.S.C. § 552(j)(2)(D) (2018).

## Summary of Agency Progress Based on 2021 Chief FOIA Officer Reports

The [2021 Chief FOIA Officer Reports](#) address agency efforts in improving FOIA administration in five key areas: (1) applying a presumption of openness, (2) having an efficient system in place for responding to requests, (3) increasing proactive disclosures, (4) utilizing technology, and (5) improving timeliness and reducing any backlogs. The summary below focuses on the successes achieved by agencies in each of these five key areas. Agencies and members of the public are encouraged to review the individual [2021 Chief FOIA Officer Reports](#) for even more detail on the successes achieved this past year in these five key areas. The Chief FOIA Officer Reports are accessible from the [Reports](#) page of OIP's website or from each agency's FOIA website.

### Section I: Applying a Presumption of Openness

The first section of agencies' [2021 Chief FOIA Officer Reports](#) addresses the steps taken to apply a presumption of openness. Agencies described a wide range of efforts in this area, including senior level oversight by the agency's Chief FOIA Officer, providing substantive FOIA training to agency FOIA professionals, engaging in outreach with the requester community, and ensuring non-FOIA professionals are aware of their obligations under the FOIA.

#### *Chief FOIA Officer Designation*

The FOIA requires each agency to designate a Chief FOIA Officer (CFO) who is a senior official at the Assistant Secretary or equivalent level.<sup>2</sup> The Department of Justice reinforced this requirement in January 2019 by issuing a [memorandum](#) to all agency General Counsels and CFOs about the importance of designating CFOs at the appropriate level. The CFO is charged with "agency-wide responsibility for efficient and appropriate compliance" with the FOIA.<sup>3</sup>

In keeping with the FOIA's requirements, agencies reported, and were assessed, on whether their CFO is at the Assistant Secretary or equivalent level. Sixty-eight out of sixty-nine agencies receiving more than fifty requests reported that their CFO was at the appropriate level.

#### *FOIA Training*

A proper understanding of the FOIA, including the correct application of both FOIA law and policy, is a key element of applying a presumption of openness. Many agencies made significant efforts this past year to provide substantive FOIA training to their personnel. As in previous years, nearly all medium and high-volume agencies ensured that the majority of their FOIA staff received substantive FOIA training during the reporting period. Overall, twenty-three out of twenty-seven high-volume agencies scored dark green for reporting that greater than 80% of their FOIA professionals attended substantive FOIA training. While this metric was not scored for medium-volume agencies, thirty-three out of forty-two medium-volume agencies reported that greater than 80% of their FOIA professionals attended substantive FOIA training. Examples of the different types of training provided include:

- [Securities and Exchange Commission \(SEC\)](#) held in-house training sessions on the protection of whistleblower information as well as Exemption 4 and the submitter-notice process.

"The Freedom of Information Act requires agencies to designate a Chief FOIA Officer who is charged with 'agency wide responsibility for efficient and appropriate compliance' with the Act."

-- DOJ CFO Designations Memorandum

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<sup>2</sup> 5 U.S.C. § 552(j)(1) (2018).

<sup>3</sup> *Id.* at § 552(j)(2)(A).

- [Social Security Administration \(SSA\)](#) held bi-monthly FOIA/Privacy Act (PA) coordinator meetings where topics included the FOIA/PA interface and fees and fee waivers.
- [United States Trade Representative \(USTR\)](#) FOIA staff trained every incoming employee, political appointee, detailee, presidential management fellow, contractor, and consultant within three months of their start date by creating a virtual, on demand option in response to maximum telework schedules.
- [Department of Commerce \(DOC\)/National Oceanic and Atmospheric Administration \(NOAA\)](#) hosted roundtable events allowing FOIA professionals, record custodians, subject matter experts, IT professionals, and legal counsel to discuss improvement areas with region-specific FOIA issues.
- [Department of Defense \(DOD\)/Army](#) conducted a three-day records management symposium with over 1,000 participants. The symposium included a FOIA training session that addressed FOIA policies and facilitated an open discussion on FOIA best practices.
- [Environmental Protection Agency \(EPA\)](#) developed and delivered a four-day, multi-session distance learning conference attended by more than 250 FOIA professionals and managers from [EPA's](#) ten regional and twelve headquarters program offices. Additionally, [EPA](#) issued a step-by-step "FOIA Toolkit" guide and training tool for the lifecycle of FOIA processing.

Finally, new for 2021, OIP asked agencies to specifically describe the efforts taken to ensure proper FOIA training was made available and used by agency personnel. In response, agencies reported a wide variety of measures. For example, [Department of Labor \(Labor\)](#) provided FOIA training for managers and FOIA Service Center staff via its LearningLink online training library. [DOC](#) ensured proper FOIA training was offered to agency personnel via virtual trainings, web applications, online training modules and training courses, broad based conferences, conference calls and FOIA Council meetings. Additionally, the agency provided one-on-one personalized training to every new FOIA professional as well as individual FOIA overviews for new SES appointees. [National Endowment for the Arts \(NEA\)](#) included FOIA training in its FOIA professionals' Individual Development Plan.

Many agencies also reported utilizing the government-wide FOIA training provided by DOJ as means of ensuring their workforce was adequately trained. Recognizing the importance of FOIA training to the success of agency FOIA programs, in 2020 OIP quickly transitioned to providing more frequent, fully remote FOIA trainings for agency professionals due to the pandemic. This new format of training has allowed OIP to reach record attendance and participation by FOIA professionals and managers across the country. In 2020 alone, nearly 5,000 professionals registered for OIP FOIA training events.

### *Outreach*

Agencies also described how they are engaging with requesters and civil society organizations to improve requester services and facilitate greater access to records. Twenty-three high-volume agencies conducted outreach that went beyond the regular communication that takes place within the FOIA request and appeal process. For example:

- [United States Department of Agriculture \(USDA\)/Animal and Plant Health Inspection Service](#) participated in panels and conferences hosted by the requester community. Among

other things, the events provided an opportunity to answer questions about the review process, confidentiality statutes, and posting procedures.

- [United States Postal Service \(USPS\)](#) hosted two conference calls with the public that included a summary of the Postal Service's FOIA regulations on how to submit a proper FOIA request.
- [SEC](#) met with a frequent requester to discuss requests that were impacted by COVID-19 and to develop processing solutions that met the requester's needs.

#### *Efforts to Inform Non-FOIA Professionals of their FOIA Obligations*

The [DOJ FOIA Guidelines](#) declare that "FOIA is everyone's responsibility" and "is not merely a task assigned to an agency's FOIA staff." Support from agency leadership and all agency employees is indispensable to ensuring that FOIA professionals can efficiently process and respond to requests. Accordingly, OIP asked high and medium-volume agencies to include in their [2021 Chief FOIA Officer Reports](#) a description of their efforts to inform non-FOIA professionals of their obligations under the FOIA. Agencies reported a wide range of activities. For example:

- Several agencies, such as [HHS](#), [USTR](#), [Pension Benefit Guaranty Corporation \(PBGC\)](#), and [Federal Energy Regulatory Commission \(FERC\)](#) provided an overview of FOIA responsibilities during new employee training. As noted above, USTR ensures that all agency personnel receive relevant FOIA training within three months of their start date. Similarly, [Federal Housing Finance Agency \(FHFA\)](#)/Office of Inspector General (OIG) trains all employees on the FOIA process, regulatory responsibilities, and record searches. Additionally, [FHFA](#) maintains a designated FOIA liaison in each of its offices to assist in responding to FOIA requests.
- [Consumer Financial Protection Bureau \(CFPB\)](#) increased communications with leadership and stakeholders through a comprehensive Weekly FOIA Update that included metric progress and developing trends. Partly as a result of these efforts, [CFPB](#) developed a comprehensive backlog reduction plan which resulted in a 31% reduction in the Bureau's backlog.
- [National Labor Relations Board \(NLRB\)](#) published an article in its agency newsletter, "All Aboard," regarding the FOIA's purpose and the types of releasable records to raise employee awareness about FOIA.

## **Section II: Ensuring Agencies Have Effective Systems for Responding to Requests**

As a part of the [2021 Chief FOIA Officer Report](#), OIP asked agencies receiving more than fifty requests in FY2019 to provide information on the steps "taken to ensure that the management of [their] FOIA program is effective and efficient." In their [2021 Chief FOIA Officer Reports](#), agencies provided details on various efforts related to processing procedures and requester services, including conducting self-assessments and maintaining standard operating procedures (SOPs). Additionally, for 2021, agencies explained how they worked to mitigate the impacts of the COVID-19 pandemic on FOIA processing. Agencies also described several best practices, including the adoption of new technology and regular communication between agency FOIA staff.

#### *Processing Procedures*

OIP's [guidance](#) stresses the importance of ensuring timely determinations on requests for expedited processing within ten calendar days. In FY 2020, forty-three assessed agencies that received requests for expedited processing adjudicated such requests within an average of ten

calendar days. For the [2021 Chief FOIA Officer Reports](#), OIP asked agencies that did not maintain an average of ten days or less to adjudicate requests for expedited processing to provide plans for improvement during FY 2021.

### *Self-Assessments*

In the [Guidance for Further Improvement Based on the 2016 Chief FOIA Officer Report Review and Assessment](#), OIP encouraged agencies to regularly conduct self-assessments to help improve their administration of the FOIA. In 2017, OIP released a [FOIA Self-Assessment Toolkit](#) designed to assist agencies in conducting comprehensive reviews of their FOIA programs. OIP asked agencies to indicate in their [2021 Chief FOIA Officer Reports](#) whether they conducted self-assessments of their FOIA programs and to describe the methods used.

The [2021 Chief FOIA Officer Reports](#) contain a wealth of information about agencies' self-assessments. Approximately, 80% of high-volume and medium-volume agencies reported conducting self-assessments using various methods:

- Several agencies reported using OIP's FOIA Self-Assessment Toolkit to assess their FOIA programs, including [DOD](#), Department of Homeland Security (DHS), [Department of Energy \(DOE\)](#), [NEA](#), [Office of Science and Technology Policy \(OSTP\)](#), [Department of the Treasury \(Treasury\)](#), and [United States Agency for International Development \(USAID\)](#). [Department of the Interior's \(DOI\)](#) newly created Departmental FOIA Office held a meeting to emphasize the importance of FOIA compliance and used the results of its self-assessment to highlight possibilities for improvement. [NLRB](#) used the Self-Assessment Toolkit to assist with drafting its new FOIA regulations and to update its FOIA Manual.
- [Court Services and Offender Supervision Agency \(CSOSA\)](#) evaluated its workflow, communication with requesters, intake, search, review, processing times, and training modules. The agency created an internal processing tracker, running daily/weekly reports, and achieved a reduction in processing times.
- [EPA](#) updated its FOIA policies and procedures after an internal review with its FOIA professionals, managers and staff. The updated procedures emphasize the importance of using the EPA's centralized electronic discovery service as the primary method to search electronic records.
- [DHS/Customs and Border Protection \(CBP\)](#) surveyed employees on new goals for processing requests which the agency uses to manage office workflow and staff performance
- [Central Intelligence Agency \(CIA\)](#) held a monthly FOIA review panel to discuss progress towards current fiscal year FOIA goals. The panel reviewed the "ten oldest" FOIA requests, appeals, and consultations, as well as metrics on the volume of cases received and closed.

### *Standard Operating Procedures*

New for 2021, OIP asked agencies a series of questions related to the maintenance of FOIA standard operating procedures (SOP). Agencies provided a variety of examples in response. For instance, the [Office of Management and Budget \(OMB\)](#) posts its SOPs as answers to Frequently Asked Questions (FAQs). [Federal Deposit Insurance Corporation \(FDIC\)](#) maintains SOPs in the form of an agency-wide FOIA Directive and accompanying documents on a workflow diagram. The [Federal Election Commission \(FEC\)](#) maintains written SOPs and standardized response letter templates that are saved on a shared drive accessible to any FOIA team member. Overall, sixty-three high and medium volume agencies reported that they maintained FOIA SOPs. An additional six high and medium volume agencies reported exploring the creation of FOIA SOPs.

### Requester Services

Agency FOIA Public Liaisons and FOIA Requester Service Centers assist requesters by informing them about how the FOIA process works and providing specific details on the handling of their individual requests. The FOIA also calls on agency FOIA Public Liaisons to assist requesters in resolving disputes and requires agencies to notify requesters about the services provided by each agency's FOIA Public Liaison in their response letters.

OIP asked agencies to provide estimates of how often requesters sought assistance from their FOIA Public Liaisons. As illustrated in Figure 2, of the sixty-nine agencies receiving more than fifty requests, thirty-three received ten or fewer requester inquiries to their FOIA Public Liaison during the reporting period. Fifteen agencies received 11-100 inquiries, thirteen agencies received 101-1,000 inquiries, and eight agencies received over 1,000 inquiries.

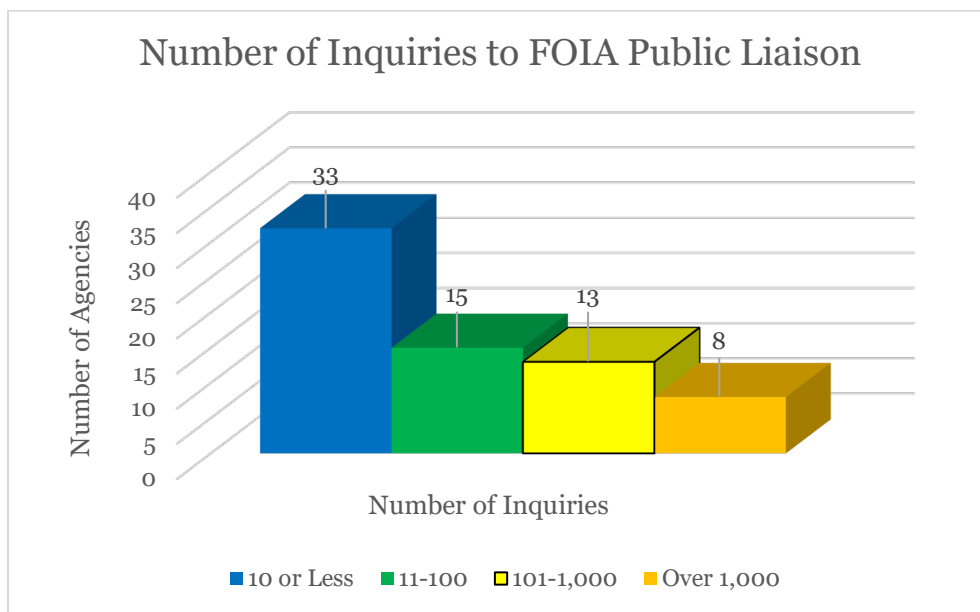


Figure 2: Number of Inquiries to FOIA Public Liaison

### Common Categories of First Party Requests

New for 2021, OIP asked agencies to report on whether they received common categories of first-party requests, and if so, whether the agency has explored establishing alternative means of access to the records outside of the FOIA process. Multiple agencies reported providing alternative means of access to certain categories of records. For example:

- DHS noted that first-party requests for personnel and investigative files can be requested through the Office of Professional Responsibility rather than through the FOIA. The alternate DHS process includes a review for law enforcement sensitive information by designated FOIA employees, but the FOIA is not applied.
- [Treasury](#) reported alternate means of access for records such as first-party tax transcripts and copies of tax returns, noting that the alternate means of access significantly decrease the turnaround time to obtain the requested information, with some requests taking 24 hours or less.

- [Peace Corps \(PC\)](#) reported that Returned Peace Corps Volunteers (RPCVs) can request their medical records through an online request portal that is managed by the Medical Records Office.
- [EEOC](#) reported [Section 83](#), an administrative mechanism, as an alternate method of obtaining charge files.
- [DOJ/Executive Office for Immigration Review](#) is in the process of deploying a paperless Immigration Court filing and tracking system called EOIR Courts and Appeals System ([ECAS](#)) that will allow attorneys representing individuals to access records without filing a FOIA request. The Federal Bureau of Investigation's [Criminal Justice Information Services Division](#) also allows requesters to access Identity History Summary Check records outside the FOIA process.

### *FOIA Regulations*

The *FOIA Improvement Act of 2016* required agencies to update their FOIA regulations within 180 days. For 2021, OIP asked agencies whether they had updated their FOIA regulations and, if not, to provide a plan for updating the regulations in accordance with the Act. Overall, fifty-one medium and high volume agencies have updated their regulations in accordance with the FOIA Improvement Act. Eighteen agencies had not yet updated their regulations and provided plans for doing so in their CFO Reports.

### *COVID-19 Challenges and Mitigation Efforts*

In May 2020, OIP issued [guidance](#) to assist agencies in administering the FOIA in light of COVID-19 impacts. The guidance emphasized that agencies' legal obligations under the FOIA continue and the FOIA's statutory time limits still applied. In the [2021 Chief FOIA Officer Reports](#), OIP asked agencies to report on steps taken to mitigate the impact of the pandemic on agency FOIA administration. In response, agencies provided a number of examples illustrating both the challenges they faced and the steps they have taken to mitigate those challenges consistent with OIP's [guidance](#). For example:

- Many agencies, such as [CFPB](#), [DOD](#), [Department of Transportation \(DOT\)](#), [Export-Import Bank of the United States \(EXIM\)](#), and [National Aeronautics and Space Administration \(NASA\)](#), reported posting notices on their agency website to notify requesters of potential delays or processing changes.
- [USDA](#) communicated directly with requesters when hard-copy responsive records were not retrievable because of office closures, providing status updates and opportunities to reframe requests to accessible records.
- Several agencies leveraged proactive disclosures. [FTC](#) proactively released [consumer complaints](#) related to the COVID-19 pandemic. The [Centers for Disease Control and Prevention \(CDC\)](#) posted all records concerning COVID-19 regardless of whether they were requested multiple times. The [Board of Governors of the Federal Reserve System \(FRB\)](#) created a webpage dedicated to COVID-19 information and resources, such as the Main Street Lending Program and supervisory and regulatory actions.
- The [Department of State \(State\)](#) provided a comprehensive description of the challenges it faced having to quickly adapt both its workforce and FOIA technology to effectively operate in a remote environment. Prior to the pandemic, State's FOIA operations largely resided on-site on classified systems. In response to the pandemic, State undertook significant efforts to make personnel telework-ready, train and equip those personnel with resources necessary to conduct FOIA processing via telework, and troubleshoot the many novel issues that arose. State also deployed a new FOIA case management system, which is not housed



exclusively on the Department's classified systems. This has enabled State to process unclassified documents available on the Department's unclassified network remotely. State also communicated with requesters about the status of its FOIA operations, improved the availability of its FOIA training, and continued its policy of posting all FOIA released records on its website.

- [NLRB](#) promptly upgraded the laptops of FOIA staff to alleviate concerns about remote processing, revamped its FOIA template letters to reflect processing changes, and despite the pandemic achieved a 91% decrease in backlog.
- [Treasury/Office of Comptroller of the Currency](#) provided certified bank records electronically at reduced costs resulting in positive feedback.

In addition to the mitigation efforts above, agencies also listed a number of COVID-19-specific challenges. For example, [Equal Employment Opportunity Commission \(EEOC\)](#) reported delays in processing paper records due to an inability to process the files electronically, although EEOC is currently working to digitize the records. As indicated above, [State](#) had to grapple with workforce practices and technology that was not conducive to telework. Finally, [Office of the Director of National Intelligence \(ODNI\)](#), similar to other agencies in the Intelligence Community, reported that working in a classified environment presented a challenge during the COVID-19 pandemic because it was unable to access its systems and networks remotely.

### Section III: Increasing Proactive Disclosures

[DOJ](#) has emphasized the need for agencies to work proactively to post information online without waiting for individual requests to be received. In their [2021 Chief FOIA Officer Reports](#), agencies provided examples of material they proactively disclosed during the reporting period, including records requested and released three or more times in accordance with 5 U.S.C. § 552(a)(2)(D).

Agencies provided a wealth of examples in their reports of new or regularly updated information posted on their websites. A few of the many examples include:

- [DOJ/Bureau of Alcohol, Tobacco, Firearms and Explosives \(ATF\)](#) proactively disclosed the listing of all active [Federal Firearms Licensees](#) on a monthly basis and the [Annual Firearms Manufacturing and Export Report](#).
- [Council of the Inspectors General on Integrity and Efficiency \(CIGIE\)](#) maintained [Oversight.gov](#) which contains the latest public reports from federal inspectors general. Between January 2020 and January 2021, inspectors general uploaded more than 2,700 new oversight reports. The website now contains a total of over 18,000 reports. Additionally, [CIGIE](#) enhanced the site by developing an "Open Recommendations" feature, currently in beta testing, that allows users to view, search, and filter approximately 4,000 unimplemented Inspector General recommendations to improve the economy and efficiency of agencies.
- [PC](#) posts country impact studies, policies, reports and statistical information on its [open government](#) page. Visitors can sort the information into categories based on report type, topic, year, and country.

"Timely disclosure of information is an essential component of transparency."

-- DOJ FOIA Guidelines

- [DOJ](#)/ Civil Rights Division proactively disclosed [Appellate Briefs](#), [Educational Opportunities Cases](#), Employment Litigation [Complaints and Decrees](#), [Housing and Civil Enforcement Section Cases](#), [Law Enforcement Conduct Records](#), and [Amicus Brief and Statements of Interest in Voting Rights Cases](#).
- [DOI](#)/U.S. Geological Survey made mapping, imagery, and data sets available. Users can customize a downloadable map at no charge.
- [FMSHRC](#) posted [audio recordings](#) of oral arguments and public meetings, [congressional reports](#), and [pending appellate docket information](#).
- [HHS](#)/Food and Drug Administration (FDA) posted emergency use authorizations with key information about COVID-19 vaccines and an explanation of the process for authorizing vaccines for emergency use.

### *Making Posted Information More Useful*

In March 2015, OIP issued [guidance for proactive disclosures](#) that details various methods for disclosure, including the importance of ensuring that information is posted in the most usable formats. Many agencies use different strategies for proactive disclosures tailored to serve the community of individuals who visit their websites most frequently. Some examples of steps agencies have taken to make information more useful include:

- [CNCS](#) undertook a major revision of its public website. The agency removed outdated material, streamlined presentation of information about the agency, and made it easier for the public to learn what [CNCS](#) does, how the agency operates, and how the public can benefit from [CNCS'](#) mission.
- [HHS](#) uses Pagefreezer, which allows the public to see past iterations of [HHS](#) web content. In addition, [HHS](#)/FDA provides the public with the ability to subscribe to RSS feed notices or sign up to receive automated emails for updates to over 100 different web pages and databases.
- [EEOC](#) launched a new interactive tool that allows users to search employment trends by sex, race/ethnicity, location and industry sector.
- [NLRB](#) created an [advanced data search](#) that allows requesters to create customized data sets of up to 100,000 records at a time.
- [FDIC](#) redesigned its FOIA web pages to simplify overall design and content to make them more easily navigable. Additionally, [FDIC](#) maintains open, machine-readable databases on its website such as [BankFind](#) (a searchable [FDIC](#) Institution Directory) and [Deposit Market Share Reports](#).
- Many agencies reported publicizing important proactive disclosures for public awareness through various social media outlets. For example, DHS/Office of the Inspector General advises its Twitter followers of newly released reports, ways to report allegations, and whistleblower-protection resources. [Selective Service System \(SSS\)](#) disseminates information and solicits feedback through Facebook and YouTube. Finally, [DOD](#) reported that most of its components make announcements through a variety of social media platforms such as Facebook, Twitter, YouTube, Flickr, RSS feeds, and LinkedIn.

## Section IV: Greater Utilization of Technology in FOIA Administration

Agencies continue to use advanced technology to make more information available online, improve their websites, and assist in their overall FOIA administration. Each year, OIP asks agencies to describe the steps they have taken to greater utilize technology in their FOIA administration. Every year, OIP refines the questions in this section as the use of technology evolves. For 2021, agencies were asked to describe ways they leverage technology to facilitate efficiency in FOIA administration that they have not previously reported. Agencies were also asked to confirm that they had reviewed their FOIA websites to address elements noted in OIP [guidance](#).

### *Use of Technology Not Previously Reported*

Technological resources have long been a fundamental element of an agencies' success in FOIA administration. In past Chief FOIA Officer Reports, agencies have reported on the use of new FOIA case management systems, file sharing platforms, e-Discovery tools, and other review and redactions software to facilitate the needs of their FOIA programs. For 2021, a number of agencies reported either upgrading these types of tools or implementing them for the first time. Additionally, many agencies have had to take a fresh look at their technology needs in light of the need to work remotely. As indicated above, several agencies, such as State, have adapted and will continue to leverage the new technology upgrades they have deployed as result of these circumstances.

Building on these efforts even further, several agencies reported exploring the use of artificial intelligence (AI) tools to assist in the search and review of records requested under the FOIA. While agencies have leveraged standard e-Discovery software for some time now, the use of AI provides an exciting opportunity to modernize FOIA on a whole different level. For example, the [FBI](#) is working to enhance its FOIA case management system to incorporate state of the art functionality such as pre-redaction, machine learning, and artificial intelligence. [HHS](#) and [GSA](#) are exploring the use of AI to automatically perform document redactions. Additionally, [State](#) is exploring AI tools to improve the electronic management of records in its eRecords archive. Finally, [FDIC](#) is also exploring systems that leverage AI capabilities in the processing of agency records.

### *Review of Agency Websites*

In 2017, OIP issued [guidance](#) encouraging agencies to regularly review their FOIA websites to ensure they contain essential resources, are informative, and user-friendly. In their [2021 Chief FOIA Officer Reports](#), sixty-six of sixty-nine agencies receiving more than fifty requests reported that they reviewed their websites for compliance with OIP Guidance.

### *Posting Quarterly FOIA Reports*

In FY 2020, 58% of agencies receiving more than fifty requests reported posting their Quarterly FOIA Reports successfully with corresponding data appearing on FOIA.gov. An additional 29% of agencies were able to post their quarterly reports successfully to their own website even though they may have had technical difficulties that resulted in their information not appearing on FOIA.gov. Any agency that was unable to successfully post all quarterly reports was required to provide a plan for ensuring that such reporting is successful in FY 2021. Given the importance of providing the public these key FOIA statistics during the course of the fiscal year, every agency should ensure that their quarterly FOIA reports are timely and properly posted in accordance with OIP's [guidance](#), so that they can be accessed through [FOIA.gov](#).

### *Posting Raw Data Used to Compile the Annual FOIA Report*

The *FOIA Improvement Act of 2016* amended the [FOIA](#) to require agencies to proactively make available in an electronic format the raw statistical data used to compile their Annual FOIA Report. OIP issued [guidance](#) to assist agencies in meeting this requirement, and [asked](#) agencies to provide links to their raw data postings for FY 2019 in their [2021 Chief FOIA Officer Reports](#). For this reporting period, 88% of agencies receiving more than fifty requests successfully posted the raw data used to compile their FY 2019 Annual FOIA Report. Several agencies have also already posted the raw data for their FY 2020 reports.

### *Challenges with Technology*

Some agencies described the challenges they have faced in the area of technology. Smaller agencies, such as CEQ, [FMSHRC](#), and [OSTP](#) reported lack of staff and access to resources as challenges. By contrast, some larger agencies reported challenges related to the use of various technological platforms. For example, [DOC](#) reported difficulty in crafting SOPs for records transmission, storage, and searchability because of the differing communications and email storage systems across its bureaus.

## **Section V: Improving Timeliness and Reducing Backlogs**

For the [2021 Chief FOIA Officer Reports](#), OIP again asked agencies to provide detailed information on their average processing times for simple track requests and their efforts to reduce backlogs and close their ten oldest requests, appeals, and consultations. Those agencies that had a request backlog of over 1,000 were also required to provide a plan for achieving backlog reduction in the year ahead. Likewise, agencies that did not close their ten oldest requests, appeals, or consultations were required to describe their plans for closing those requests, appeals or consultations by the end of FY 2021.

### *Simple Track Requests*

Because of the strong correlation between the type of request that is made and the ability of the agency to respond to that request quicker, in 2012, OIP established a milestone that addressed whether the agency overall responded to requests in its simple track within an average of twenty working days or less. Agencies once again reported on this metric in their [2021 Chief FOIA Officer Reports](#). Thirty-five medium and high-volume agencies reported that they either processed their simple-track requests in an average of twenty-working days or less, or if they did not use multi-track processing, they processed all of their non-expedited requests within that average timeframe.

### *Backlogs*

With regard to request backlogs, as illustrated in Figure 3, twenty-six medium and high-volume agencies reported that they either reduced the number of requests in their backlog at the end of FY 2020 or they had no backlog to reduce. Nine agencies reported that the backlog was the same as the previous fiscal year or an increase of up to five backlogged requests. Thirty-four agencies experienced a backlog increase of more than five requests; of these agencies, fourteen reported that they processed more requests than the previous fiscal year.

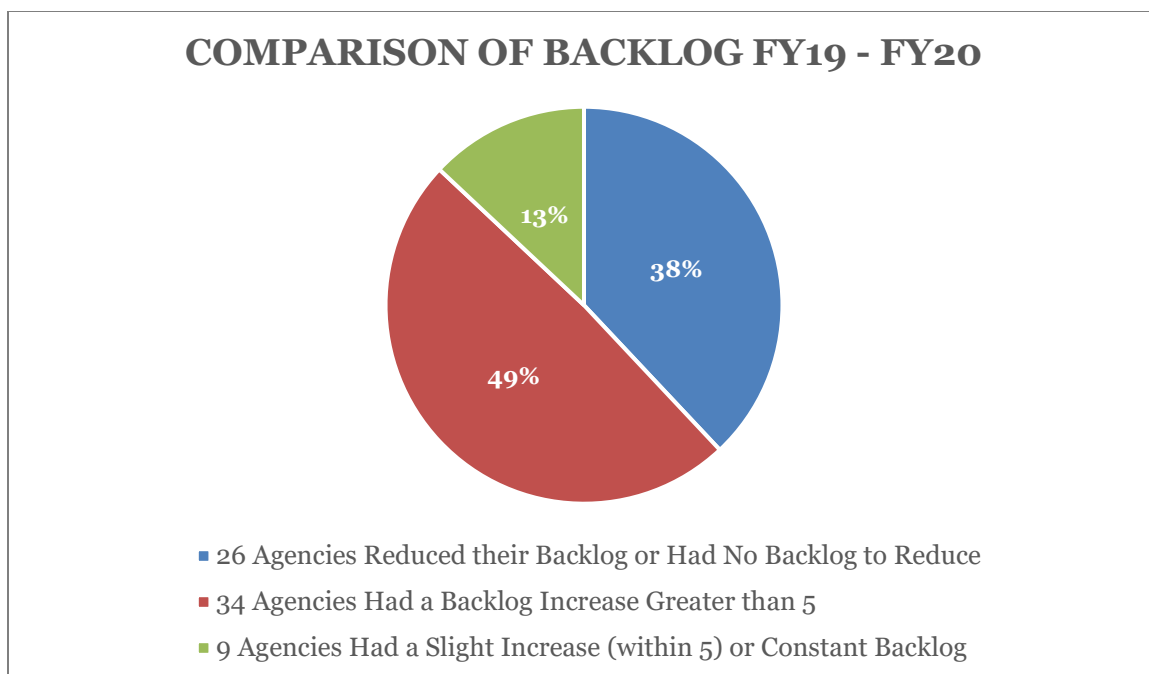


Figure 3: Backlog Comparison, FY 2019 to FY 2020

For administrative FOIA appeals, forty-six medium and high-volume agencies reported that they either reduced the number of appeals in their backlog at the end of FY 2019 or they had no backlog to reduce. Ten agencies reported that the backlog was the same as the previous fiscal year or an increase of up to five backlogged appeals. Thirteen agencies reported an appeal backlog increase of over five appeals. Further, of the twenty-three agencies that reported an increase or constant appeals backlog, ten also reported that they processed more appeals than the previous fiscal year.

As with previous years, agencies that experienced an increase in their request or appeal backlogs explained the causes that contributed to those increases in their [2021 Chief FOIA Officer Reports](#). The most frequently cited factors were the increase in the complexity of requests and loss of staff. Fourteen agencies also reported an increase in incoming requests as contributing to the backlog. Many agencies also reported litigation as a factor that contributed to an increased request backlog. Further, many agencies, including [CIA](#), [DHS](#), [EEOC](#), [FCC](#), [FDIC](#) and [National Archives and Records Administration \(NARA\)](#) cited the COVID-19 pandemic as a reason their backlog did not decrease. With respect to appeals, ten agencies identified the increased number of appeals received as contributing to their appeals backlog. Eight agencies identified a loss of staff as contributing to their appeals backlog. Finally, six agencies identified an increase in the complexity of appeals as contributing to the backlog.

#### *Status of Ten Oldest Requests, Appeals, and Consultations*

A critical element of the government's backlog-reduction efforts is the closing of the ten oldest pending requests, appeals, and consultations at each agency every year. Twenty-seven medium and high-volume agencies reported that they either closed all ten of their oldest requests from FY 2019 by the end of FY 2020, or they had no ten oldest to close.

With regard to appeals, fifty-one medium and high-volume agencies either closed their ten oldest pending appeals or they had no ten oldest to close. Finally, fifty-six medium and high-volume

agencies closed their ten oldest pending consultations or they continued to maintain no pending consultations at the end of the fiscal year.

## **Conclusion**

OIP's 2021 Summary and Assessment demonstrates that even in the face of a continuously high demand of requests and new challenges such as the COVID-19 pandemic, agencies continue to implement new ways to improve their administration of the FOIA through various initiatives connected to the five key areas addressed in the DOJ FOIA Guidelines. As illustrated in the individual agency Chief FOIA Officer Reports, significant efforts have been made to apply a presumption of openness in FOIA administration, ensure effective systems are in place to process requests, continue to make more proactive disclosures, utilize technology, and make efforts to improve timeliness and reduce backlogs. While there are many laudable achievements noted in this summary, the successes achieved by individual agencies can vary. OIP's Assessment serves as a visual snapshot of where each agency should focus its efforts in the upcoming year to achieve greater success. To assist agencies OIP also offers the following guidance.

## OIP Guidance for Further Improvement Based on 2021 Chief FOIA Officer Report Review and Assessment

### **The Importance of FOIA Training for FOIA Professionals and Agency Program Personnel**

As the Department has long declared, “FOIA is everyone’s responsibility.” Accordingly, critical to any successful FOIA administration is that all agency personnel, including FOIA professionals, have adequate training resources available to them to understand the current state of the law and their important role in achieving FOIA’s mission. Agency FOIA professionals should receive substantive FOIA training every year and agencies should continue to take steps to ensure all new personnel receive adequate training or briefings on FOIA when onboarded. Of course, these types of trainings were traditionally offered in-person, which was made difficult by the pandemic. However, in the 2021 Chief FOIA Officer Reports, many agencies described efforts to provide the workforce with digital training resources such as online courses and virtual training conferences. OIP also quickly transitioned to providing government-wide virtual trainings with nearly 5,000 participants registered last year alone. Moving forward, agencies are encouraged to leverage digital training resources and virtual conferences as a means of reaching a wider audience. Further, agencies that need further assistance with FOIA training should utilize the training provided by OIP or contact OIP directly to coordinate training specific to the needs of their agency. For more information about OIP’s upcoming training events and how to attend please visit the [Training](#) page of OIP’s website.

### **Planning Ahead and Leveraging Lessons Learned to Reduce Backlogs and Processing Times**

The Department's 2021 Assessment of Agency Chief FOIA Officer Reports continues to reflect agencies' efforts in reducing backlogs and the age of their requests, appeals, and consultations. Agencies that experienced backlog increases during Fiscal Year 2020 or that were unable to close their ten oldest requests, appeals, or consultations should continue to focus on these key metrics.

During the past year, agencies' FOIA programs continued to be affected by the COVID-19 pandemic to varying degrees. At the same time, many agencies have implemented new technology to support their FOIA programs and developed new workflows and practices. In addition to the [guidance](#) issued by OIP in 2020, several Best Practices Workshops have been held on these topics. All of these best practices are detailed on the [Best Practices Workshop page](#) of OIP’s website. Additionally, as described in the 2021 Summary and Assessment, agencies provided a range of examples on how they improved their FOIA process this past year. For instance, many agencies used technology in new ways because of maximum telework to facilitate greater efficiencies. Beyond the traditional tools used in FOIA administration, several agencies are exploring more sophisticated technology that leverages artificial intelligence (AI) and has great potential for reducing the search and review burden on agency FOIA offices. Last year, OIP hosted an [AI 101 Workshop for FOIA](#) featuring the Chief FOIA Officers Council Technology Committee. The [Chief FOIA Officers Council](#) Technology Committee continues to serve as a great resource for agencies exploring their FOIA technology needs. As discussed above, several agencies also began leveraging remote training platforms and e-Learning training modules. Agencies also leveraged proactive disclosures and increased communication with requesters as a means of meeting public demand. As workplace policies continue to evolve in response to the pandemic, agencies are encouraged to leverage all these lessons learned and best practices in identifying potential areas to achieve greater efficiency moving forward.

### **Standard Operating Procedures**

Having Standard Operating Procedures (SOP) can improve the consistency and quality of an agencies FOIA process. SOPs can also serve as a significant resource for incoming FOIA professionals and a way to preserve much of the agency’s institutional knowledge on all aspects of

administering the FOIA from how to handle requests from start-to-finish, to identifying and making proactive disclosures, to maintaining a FOIA website. Overall, sixty-three high and medium volume agencies reported that they maintained FOIA SOPs last year with a range of descriptions on the form these SOPs take and how often they are updated. OIP encourages all agencies to develop and regularly maintain SOPs that will assist in implementing the FOIA's requirements with a high level of consistency and quality. Agencies may use OIP's [Self-Assessment Toolkit](#) as a resource when creating or updating SOPs. More importantly, agencies should regularly update SOPs to reflect changes in policy or law. To ensure SOPs are up-to-date, OIP encourages agencies to review their SOP at least annually.

### **Updating Agency FOIA Regulations**

The *FOIA Improvement Act of 2016*, Pub. L. No. 114-185, 130 Stat. 538, required all agencies to update their FOIA regulations within 180 days. While a majority of agencies have published updated regulations in the Federal Register, several agencies are still in progress to fulfilling this requirement. OIP encourages all agencies that have not updated their regulations in accordance with the *FOIA Improvement Act of 2016* to do so as soon as feasible. Agencies are encouraged to consult OIP's [Guidance for Agency FOIA Regulations](#) and accompanying [Template](#) that includes sample regulatory language.



## 2021 Assessment of Agency Progress in FOIA Administration

For the 2021 assessment, OIP selected twenty-one milestones for scoring high volume agencies and nineteen milestones for medium volume agencies, each of which is tied to one of the five key areas addressed in the DOJ's FOIA Guidelines. 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 they have undertaken to improve their administration of the FOIA. As these reports themselves provide a more comprehensive picture of each agency's work in implementing [DOJ's 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 in the past year and also serves to highlight areas where further improvements can be made.

The assessment covers the twenty-seven high volume agencies and forty-two medium-volume agencies that were subject to the FOIA during FY 2020. As in prior years, agencies are scored on the different milestones based on a stoplight scoring system. Agencies provide a wealth of information as a part of their [Chief FOIA Officer Reports](#) that do not lend themselves to scoring, but are still very informative as to their efforts to improve their FOIA administration. In an effort to streamline the presentation of the assessment, narrative information is not included in the charts.

A detailed methodology is provided below describing how each milestone was scored. As in prior years, questions assessed on the three-step scoring system use a score of dark green, yellow, and red. Dark green indicates that the agency met the milestone, yellow indicates partial progress, and red indicates that the milestone was not met. For the five-step scoring system, the colors light green and orange provide more gradation as to the progress the agency has made towards that milestone.

The time period for the assessment is generally March 2020 to March 2021, which is the period covered by the [2021 Chief FOIA Officer Reports](#). For the milestones concerning average time to adjudicate requests for expedited processing, processing times for simple track requests, backlogs, and the ten oldest requests, appeals, and consultations, the time period is FY 2020. The data for these metrics was compiled from agency Annual FOIA Reports, which are available on both [FOIA.gov](#) and OIP's [Reports](#) page.

## 2021 Chief FOIA Officer Report Methodology

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

#### A. FOIA Leadership

Agencies Receiving More Than 1000 Requests	Agencies Receiving 50-1000 Requests
<p>1. The FOIA requires each agency to designate a Chief FOIA Officer who is a senior official at least at the Assistant Secretary or equivalent level. See 5 U.S.C. § 552(j)(1) (2018). Is your agency's Chief FOIA Officer at or above this level?</p> <ul style="list-style-type: none"> <li>• <span style="background-color: #008000; color: white; padding: 2px;">Dark Green:</span> Yes</li> <li>• <span style="background-color: #ff0000; color: white; padding: 2px;">Red:</span> No</li> </ul> <p>2. Please provide the name and title of your agency's Chief FOIA Officer. <b>(Not Graded)</b></p>	<p>1. The FOIA requires each agency to designate a Chief FOIA Officer who is a senior official at least at the Assistant Secretary or equivalent level. See 5 U.S.C. § 552(j)(1) (2018). Is your agency's Chief FOIA Officer at or above this level?</p> <ul style="list-style-type: none"> <li>• <span style="background-color: #008000; color: white; padding: 2px;">Dark Green:</span> Yes</li> <li>• <span style="background-color: #ff0000; color: white; padding: 2px;">Red:</span> No</li> </ul> <p>2. Please provide the name and title of your agency's Chief FOIA Officer. <b>(Not Graded)</b></p>

#### B. FOIA Training

Agencies Receiving More Than 1000 Requests	Agencies Receiving 50-1000 Requests
<p>3. The FOIA directs agency Chief FOIA Officers to ensure that FOIA training is offered to agency personnel. See 5 U.S.C. § 552(a)(j)(2)(F). Please describe the efforts your agency has undertaken to ensure proper FOIA training is made available and used by agency personnel. <b>(Not Graded)</b></p> <p>4. Did your FOIA professionals or the personnel at your agency who have FOIA responsibilities attend substantive FOIA training during the reporting period such as that provided by the Department of Justice?</p> <ul style="list-style-type: none"> <li>• <span style="background-color: #008000; color: white; padding: 2px;">Dark Green:</span> Attended training/FOIA conference (one or multiple), or held a staff meeting that included some FOIA training</li> <li>• <span style="background-color: #ffff00; color: black; padding: 2px;">Yellow:</span> Is planning to attend or hold training after reporting period</li> <li>• <span style="background-color: #ff0000; color: white; padding: 2px;">Red:</span> Did not hold or attend training</li> </ul>	<p>3. The FOIA directs agency Chief FOIA Officers to ensure that FOIA training is offered to agency personnel. See 5 U.S.C. § 552(a)(j)(2)(F). Please describe the efforts your agency has undertaken to ensure proper FOIA training is made available and used by agency personnel. <b>(Not Graded)</b></p> <p>4. Did your FOIA professionals or the personnel at your agency who have FOIA responsibilities attend substantive FOIA training during the reporting period such as that provided by the Department of Justice?</p> <ul style="list-style-type: none"> <li>• <span style="background-color: #008000; color: white; padding: 2px;">Dark Green:</span> Attended training/FOIA conference (one or multiple), or held a staff meeting that included some FOIA training</li> <li>• <span style="background-color: #ffff00; color: black; padding: 2px;">Yellow:</span> Is planning to attend or hold training after reporting period</li> <li>• <span style="background-color: #ff0000; color: white; padding: 2px;">Red:</span> Did not hold or attend training</li> </ul>

<p>5. If yes, please provide a brief description of the type of training attended or conducted and the topics covered. <b>(Not Graded)</b></p> <p>6. Please provide an estimate of the percentage of your FOIA professionals and staff with FOIA responsibilities who attended substantive FOIA training during this reporting period.</p> <ul style="list-style-type: none"> <li>• <b>Dark Green:</b> 100% to 81%</li> <li>• <b>Light Green:</b> 80% to 61%</li> <li>• <b>Yellow:</b> 60% to 41%</li> <li>• <b>Orange:</b> 40% to 21%</li> <li>• <b>Red:</b> 20% and below</li> </ul> <p>7. OIP has <a href="#">directed agencies</a> to “take steps to ensure that all of their FOIA professionals attend substantive FOIA training at least once throughout the year.” If your response to the previous question is that less than 80% of your FOIA professionals attended training, please explain your agency’s plan to ensure that all FOIA professionals receive or attend substantive FOIA training during the next reporting year. <b>(Not Graded)</b></p>	<p>5. If yes, please provide a brief description of the type of training attended or conducted and the topics covered. <b>(Not Graded)</b></p> <p>6. Please provide an estimate of the percentage of your FOIA professionals and staff with FOIA responsibilities who attended substantive FOIA training during this reporting period. <b>(Not Graded)</b></p> <p>7. OIP has <a href="#">directed agencies</a> to “take steps to ensure that all of their FOIA professionals attend substantive FOIA training at least once throughout the year.” If your response to the previous question is that less than 80% of your FOIA professionals attended training, please explain your agency’s plan to ensure that all FOIA professionals receive or attend substantive FOIA training during the next reporting year. <b>(Not Graded)</b></p>
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**C. Outreach**

Agencies Receiving More Than 1000 Requests	Agencies Receiving 50-1000 Requests
<p>8. Did your FOIA professionals engage in any outreach or dialogue with the requester community or open government groups regarding your administration of the FOIA? Please describe any such outreach or dialogue, and, if applicable, any specific examples of how this dialogue has led to improvements in your agency’s FOIA administration.</p> <ul style="list-style-type: none"> <li>• <b>Dark Green:</b> Agency conducted outreach</li> <li>• <b>Yellow:</b> Agency conducted outreach with requesters during request/appeal process</li> <li>• <b>Red:</b> Agency did not conduct any outreach</li> </ul>	<p>8. Did your FOIA professionals engage in any outreach or dialogue with the requester community or open government groups regarding your administration of the FOIA? Please describe any such outreach or dialogue, and, if applicable, any specific examples of how this dialogue has led to improvements in your agency’s FOIA administration. <b>(Not Graded)</b></p>

**D. Other Initiatives**

Agencies Receiving More Than 1000 Requests	Agencies Receiving 50-1000 Requests
<p>9. Describe any efforts your agency has undertaken to inform non-FOIA professionals of their obligations under the FOIA. In particular, please describe how often and in what formats your agency provides FOIA training or briefings to non-FOIA staff.</p> <ul style="list-style-type: none"> <li>• <b>Dark Green:</b> Yes</li> <li>• <b>Yellow:</b> Planned</li> <li>• <b>Red:</b> No</li> </ul> <p>10. Optional -- If there are any other initiatives undertaken by your agency to ensure that the presumption of openness is being applied, please describe them here. (Not Graded)</p>	<p>9. Describe any efforts your agency has undertaken to inform non-FOIA professionals of their obligations under the FOIA. In particular, please describe how often and in what formats your agency provides FOIA training or briefings to non-FOIA staff.</p> <ul style="list-style-type: none"> <li>• <b>Dark Green:</b> Yes</li> <li>• <b>Yellow:</b> Planned</li> <li>• <b>Red:</b> No</li> </ul> <p>10. Optional -- If there are any other initiatives undertaken by your agency to ensure that the presumption of openness is being applied, please describe them here. (Not Graded)</p>

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

Agencies Receiving More Than 1000 Requests	Agencies Receiving 50-1000 Requests
<p>1. For Fiscal Year 2020, what was the average number of days your agency reported for adjudicating requests for expedited processing? Please see Section VIII.A. of your agency's Fiscal Year 2020 Annual FOIA Report.</p> <ul style="list-style-type: none"> <li>• <b>Dark Green:</b> Less than 10 days</li> <li>• <b>Light Green:</b> Between 10.1 and 10.5 days</li> <li>• <b>Yellow:</b> Between 10.6 and 11.0 days</li> <li>• <b>Orange:</b> Between 11.1 and 12 days</li> <li>• <b>Red:</b> Over 12 days</li> <li>• <b>N/A:</b> Did not adjudicate such a request during FY</li> </ul> <p>2. If your agency's average number of days to adjudicate requests for expedited processing was above ten calendar days, according to Section VIII.A. of your agency's Fiscal Year 2020 Annual FOIA Report, please describe</p>	<p>1. For Fiscal Year 2020, what was the average number of days your agency reported for adjudicating requests for expedited processing? Please see Section VIII.A. of your agency's Fiscal Year 2020 Annual FOIA Report.</p> <ul style="list-style-type: none"> <li>• <b>Dark Green:</b> Less than 10 days</li> <li>• <b>Light Green:</b> Between 10.1 and 10.5 days</li> <li>• <b>Yellow:</b> Between 10.6 and 11.0 days</li> <li>• <b>Orange:</b> Between 11 and 12 days</li> <li>• <b>Red:</b> Over 12 days</li> <li>• <b>N/A:</b> Did not adjudicate such a request during FY</li> </ul> <p>2. If your agency's average number of days to adjudicate requests for expedited processing was above ten calendar days, according to Section VIII.A. of your agency's Fiscal Year 2020 Annual FOIA Report, please describe</p>

the steps your agency will take to ensure that requests for expedited processing are adjudicated within ten calendar days or less. **(Not Graded)**

3. During the reporting period, did your agency conduct a self-assessment of its FOIA program? If so, please describe the methods used, such as reviewing Annual Report or raw data, using active workflows and track management, reviewing and updating processing procedures, etc. **(Not Graded)**

4. Does your agency have Standard Operating Procedures (SOPs) that outline general processes for handling FOIA requests and appeals? **(Not Graded)**

5. If not, does your agency have plans to create FOIA SOPs? **(Not Graded)**

6. If yes, how often are they reviewed/updated to account for changes in law, best practices, and technology? **(Not Graded)**

7. In addition to having SOPs, does your agency post or otherwise describe your standard processes for handling requests on your website? **(Not Graded)**

8. The FOIA Improvement Act of 2016 requires additional notification to requesters about the services provided by the agency's FOIA Public Liaison. Please provide an estimate of the number of times requesters sought assistance from your agency's FOIA Public Liaison during FY 2020 (please provide a total number or an estimate of the number). **(Not Graded)**

9. Does your agency frequently receive common categories of first-party requests? If so, please describe the types of requests and if your agency has explored establishing alternative means of access to these records outside of the FOIA process? **(Not Graded)**

10. The FOIA Improvement Act of 2016 required all agencies to update their FOIA

the steps your agency will take to ensure that requests for expedited processing are adjudicated within ten calendar days or less. **(Not Graded)**

3. During the reporting period, did your agency conduct a self-assessment of its FOIA program? If so, please describe the methods used, such as reviewing Annual Report or raw data, using active workflows and track management, reviewing and updating processing procedures, etc. **(Not Graded)**

4. Does your agency have Standard Operating Procedures (SOPs) that outline general processes for handling FOIA requests and appeals? **(Not Graded)**

5. If not, does your agency have plans to create FOIA SOPs? **(Not Graded)**

6. If yes, how often are they reviewed/updated to account for changes in law, best practices, and technology? **(Not Graded)**

7. In addition to having SOPs, does your agency post or otherwise describe your standard processes for handling requests on your website? **(Not Graded)**

8. The FOIA Improvement Act of 2016 requires additional notification to requesters about the services provided by the agency's FOIA Public Liaison. Please provide an estimate of the number of times requesters sought assistance from your agency's FOIA Public Liaison during FY 2020 (please provide a total number or an estimate of the number). **(Not Graded)**

9. Does your agency frequently receive common categories of first-party requests? If so, please describe the types of requests and if your agency has explored establishing alternative means of access to these records outside of the FOIA process? **(Not Graded)**

10. The FOIA Improvement Act of 2016 required all agencies to update their FOIA

<p>regulations within 180 days. Has your agency updated its FOIA regulations in accordance with the FOIA Improvement Act of 2016? If not, what is your agency's plan to update your regulations? <b>(Not Graded)</b></p> <p>11. Please explain how your agency worked to mitigate the impact of the COVID-19 pandemic on FOIA processing. Examples could include, but are not limited to: altering workflows, implementing new technology, providing notices and instructions or otherwise communicating directly with requesters. <b>(Not Graded)</b></p> <p>12. Optional -- Please describe the best practices used to ensure that your FOIA system operates efficiently and effectively and any challenges your agency faces in this area. <b>(Not Graded)</b></p>	<p>regulations within 180 days. Has your agency updated its FOIA regulations in accordance with the FOIA Improvement Act of 2016? If not, what is your agency's plan to update your regulations? <b>(Not Graded)</b></p> <p>11. Please explain how your agency worked to mitigate the impact of the COVID-19 pandemic on FOIA processing. Examples could include, but are not limited to: altering workflows, implementing new technology, providing notices and instructions or otherwise communicating directly with requesters. <b>(Not Graded)</b></p> <p>12. Optional -- Please describe the best practices used to ensure that your FOIA system operates efficiently and effectively and any challenges your agency faces in this area. <b>(Not Graded)</b></p>
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**Section III: Steps Taken to Increase Proactive Disclosures**

Agencies Receiving More Than 1000 Requests	Agencies Receiving 50-1000 Requests
<p>1. Provide examples of any material that your agency has proactively disclosed during the past reporting year, including records that have been requested and released three or more times in accordance with 5 U.S.C. § 552(a)(2)(D). Please include links to these materials as well. <b>(Not Graded)</b></p> <p>2. Beyond posting new material, is your agency taking steps to make the posted information more useful to the public, especially to the community of individuals who regularly access your agency's website?</p> <ul style="list-style-type: none"> <li>• <b>Dark Green:</b> Agency answered yes <ul style="list-style-type: none"> <li>○ Alternatively: Agency answered that it is already making information available in its most useful format</li> </ul> </li> <li>• <b>Yellow:</b> Agency is looking into how they would do so</li> </ul>	<p>1. Provide examples of any material that your agency has proactively disclosed during the past reporting year, including records that have been requested and released three or more times in accordance with 5 U.S.C. § 552(a)(2)(D). Please include links to these materials as well. <b>(Not Graded)</b></p> <p>2. Beyond posting new material, is your agency taking steps to make the posted information more useful to the public, especially to the community of individuals who regularly access your agency's website?</p> <ul style="list-style-type: none"> <li>• <b>Dark Green:</b> Agency answered yes <ul style="list-style-type: none"> <li>○ Alternatively: Agency answered that it is already making information available in its most useful format</li> </ul> </li> <li>• <b>Yellow:</b> Agency is looking into how they would do so</li> </ul>

<ul style="list-style-type: none"> <li>○ Alternatively: If agency noted that they do not operate their website in house</li> <li>● <b>Red:</b> Agency answered no</li> </ul> <p>3. If yes, please provide examples of such improvements. In particular, please describe steps your agency is taking to post information in open, machine-readable, and machine-actionable formats, to the extent feasible. If not posting in open formats, please explain why and note any challenges. <b>(Not Graded)</b></p> <p>4. Optional -- Please describe the best practices used to improve proactive disclosures and any challenges your agency faces in this area. <b>(Not Graded)</b></p>	<ul style="list-style-type: none"> <li>○ Alternatively: If agency noted that they do not operate their website in house</li> <li>● <b>Red:</b> Agency answered no</li> </ul> <p>3. If yes, please provide examples of such improvements. In particular, please describe steps your agency is taking to post information in open, machine-readable, and machine-actionable formats, to the extent feasible. If not posting in open formats, please explain why and note any challenges. <b>(Not Graded)</b></p> <p>4. Optional -- Please describe the best practices used to improve proactive disclosures and any challenges your agency faces in this area. <b>(Not Graded)</b></p>
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**Section IV: Steps Taken to Greater Utilize Technology**

<b>Agencies Receiving More Than 1000 Requests</b>	<b>Agencies Receiving 50-1000 Requests</b>
<p>1. Please briefly describe the types of technology your agency uses to support your FOIA program. In addition, please highlight if your agency is leveraging or exploring any new technology that you have not previously reported? If so, please describe the type of technology. <b>(Not Graded)</b></p> <p>2. OIP issued <a href="#">guidance</a> in 2017 encouraging agencies to regularly review their FOIA websites to ensure that they contain essential resources and are informative and user-friendly. Has your agency reviewed its FOIA website(s) during the reporting period to ensure it addresses the elements noted in the guidance?</p> <ul style="list-style-type: none"> <li>● <b>Dark Green:</b> Agency reviewed</li> <li>● <b>Yellow:</b> Planning to review</li> <li>● <b>Red:</b> Did not review</li> </ul> <p>3. Did your agency successfully post all four quarterly reports for Fiscal Year 2020?</p>	<p>1. Please briefly describe the types of technology your agency uses to support your FOIA program. In addition, please highlight if your agency is leveraging or exploring any new technology that you have not previously reported? If so, please describe the type of technology. <b>(Not Graded)</b></p> <p>2. OIP issued <a href="#">guidance</a> in 2017 encouraging agencies to regularly review their FOIA websites to ensure that they contain essential resources and are informative and user-friendly. Has your agency reviewed its FOIA website(s) during the reporting period to ensure it addresses the elements noted in the guidance?</p> <ul style="list-style-type: none"> <li>● <b>Dark Green:</b> Agency reviewed</li> <li>● <b>Yellow:</b> Planning to review</li> <li>● <b>Red:</b> Did not review</li> </ul> <p>3. Did your agency successfully post all four quarterly reports for Fiscal Year 2020?</p>

- **Dark Green:** Agency did successfully, with data appearing on FOIA.gov
- **Light Green:** Agency did, but data did not appear on FOIA.gov due to technical reasons and reached out to OIP to resolve issues
- **Yellow:** Agency posted 2 or 3 of the reports, and reached out to OIP to resolve issues
- **Orange:** Agency posted at least 1 report, and is working with OIP to resolve issues
- **Red:** Agency did not post any reports
- **N/A:** Agency did not post quarterly reports because this is their first year providing an annual report. They will provide quarterly reports in FY2020.

4. If your agency did not successfully post all quarterly reports, with information appearing on FOIA.gov, please explain why and provide your agency's plan for ensuring that such reporting is successful in Fiscal Year 2021. **(Not Graded)**

5. The FOIA Improvement Act of 2016 requires all agencies to post the raw statistical data used to compile their Annual FOIA Reports. Please provide the link to this posting for your agency's Fiscal Year 2019 Annual FOIA Report and, if available, for your agency's Fiscal Year 2020 Annual FOIA Report.

- **Dark Green:** Provided link to posting
- **Red:** Did not provide link to posting

6. Optional -- Please describe the best practices used in greater utilizing technology and any challenges your agency faces in this area. **(Not Graded)**

- **Dark Green:** Agency did successfully, with data appearing on FOIA.gov
- **Light Green:** Agency did, but data did not appear on FOIA.gov due to technical reasons and reached out to OIP to resolve issues
- **Yellow:** Agency posted 2 or 3 of the reports, and reached out to OIP to resolve issues
- **Orange:** Agency posted at least 1 report, and is working with OIP to resolve issues
- **Red:** Agency did not post any reports
- **N/A:** Agency did not post quarterly reports because this is their first year providing an annual report. They will provide quarterly reports in FY2020.

4. If your agency did not successfully post all quarterly reports, with information appearing on FOIA.gov, please explain why and provide your agency's plan for ensuring that such reporting is successful in Fiscal Year 2021. **(Not Graded)**

5. The FOIA Improvement Act of 2016 requires all agencies to post the raw statistical data used to compile their Annual FOIA Reports. Please provide the link to this posting for your agency's Fiscal Year 2019 Annual FOIA Report and, if available, for your agency's Fiscal Year 2020 Annual FOIA Report.

- **Dark Green:** Provided link to posting
- **Red:** Did not provide link to posting

6. Optional -- Please describe the best practices used in greater utilizing technology and any challenges your agency faces in this area. **(Not Graded)**



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

**A. Simple Track**

Agencies Receiving More Than 1000 Requests	Agencies Receiving 50-1000 Requests
<p>1. Does your agency utilize a separate track for simple requests? <b>(Not Graded)</b></p> <p>2. If your agency uses a separate track for simple requests, according to Annual FOIA Report section VII.A, was the agency overall average number of days to process simple requests twenty working days or fewer in Fiscal Year 2020?</p> <ul style="list-style-type: none"> <li>• <b>Dark Green:</b> Average time is 20 days or below (with or without)</li> <li>• <b>Light Green:</b> 20.01 and 22 (with or without)</li> <li>• <b>Yellow:</b> Average time is between 22.01 and 23 days (with simple track); time is above 22.01 days (without simple track)</li> <li>• <b>Orange:</b> 23.01 and 25 (with simple)</li> <li>• <b>Red:</b> Average time is above 25.01 days (with simple track)</li> </ul> <p>3. Please provide the percentage of requests processed by your agency in Fiscal Year 2020 that were placed in your simple track. Please use the following calculation based on the data from your Annual FOIA Report: (processed simple requests from Section VII.C.1) divided by (requests processed from Section V.A.) x 100. <b>(Not Graded)</b></p> <p>4. If your agency does not track simple requests separately, was the average number of days to process all non-expedited requests twenty working days or fewer? <b>(Graded if no simple track grade articulated above in question 2)</b></p> <ul style="list-style-type: none"> <li>• <b>Dark Green:</b> Average time is 20 days or below days</li> </ul>	<p>1. Does your agency utilize a separate track for simple requests? <b>(Not Graded)</b></p> <p>2. If your agency uses a separate track for simple requests, according to Annual FOIA Report section VII.A, was the agency overall average number of days to process simple requests twenty working days or fewer in Fiscal Year 2020?</p> <ul style="list-style-type: none"> <li>• <b>Dark Green:</b> Average time is 20 days or below (with or without)</li> <li>• <b>Light Green:</b> 20.01 and 22 (with or without)</li> <li>• <b>Yellow:</b> Average time is between 22.01 and 23 days (with simple track); time is above 22.01 days (without simple track)</li> <li>• <b>Orange:</b> 23.01 and 25 (with simple)</li> <li>• <b>Red:</b> Average time is above 25.01 days (with simple track)</li> </ul> <p>3. Please provide the percentage of requests processed by your agency in Fiscal Year 2020 that were placed in your simple track. Please use the following calculation based on the data from your Annual FOIA Report: (processed simple requests from Section VII.C.1) divided by (requests processed from Section V.A.) x 100. <b>(Not Graded)</b></p> <p>4. If your agency does not track simple requests separately, was the average number of days to process all non-expedited requests twenty working days or fewer? <b>(Graded if no simple track grade articulated above in question 2)</b></p> <ul style="list-style-type: none"> <li>• <b>Dark Green:</b> Average time is 20 days or below days</li> </ul>

<ul style="list-style-type: none"> <li>• <b>Light Green:</b> 20.01 and 22 (with or without)</li> <li>• <b>Yellow:</b> Average time is above 22.01</li> </ul>	<ul style="list-style-type: none"> <li>• <b>Light Green:</b> 20.01 and 22 (with or without)</li> <li>• <b>Yellow:</b> Average time is above 22.01</li> </ul>
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**B. Backlogs**

Agencies Receiving More Than 1000 Requests	Agencies Receiving 50-1000 Requests
<p><b>BACKLOGGED REQUESTS</b></p> <p>5. If your agency had a backlog of requests at the close of Fiscal Year 2020, according to Annual FOIA Report Section XII.A, did that backlog decrease as compared with the backlog reported at the end of Fiscal Year 2019?</p> <ul style="list-style-type: none"> <li>• <b>Dark Green:</b> Agency backlog decreased (or backlog was constant at 0)</li> <li>• <b>Yellow:</b> Agency backlog was same as previous FY (not 0) or increased within 5 requests</li> <li>• <b>Red:</b> Agency backlog increased more than 5 requests</li> </ul> <p>6. If not, according to Annual FOIA Report Section V.A, did your agency process more requests during Fiscal Year 2020 than it did during Fiscal Year 2019?</p> <ul style="list-style-type: none"> <li>• <b>Dark Green:</b> Agency processed more in FY20 than in FY19.</li> <li>• <b>Yellow:</b> Agency processed the same amount in FY20 than in FY19.</li> <li>• <b>Red:</b> Agency processed less in FY20 than in FY19.</li> </ul> <p>7. If your agency's request backlog increased during Fiscal Year 2020, please explain why and describe the causes that contributed to your agency not being able to reduce its backlog. When doing so, please also indicate if any of the following were contributing factors:</p> <ul style="list-style-type: none"> <li>• An increase in the number of incoming requests.</li> <li>• A loss of staff.</li> </ul>	<p><b>BACKLOGGED REQUESTS</b></p> <p>5. If your agency had a backlog of requests at the close of Fiscal Year 2020, according to Annual FOIA Report Section XII.A, did that backlog decrease as compared with the backlog reported at the end of Fiscal Year 2019?</p> <ul style="list-style-type: none"> <li>• <b>Dark Green:</b> Agency backlog decreased (or backlog was constant at 0)</li> <li>• <b>Yellow:</b> Agency backlog was same as previous FY (not 0) or increased within 5 requests</li> <li>• <b>Red:</b> Agency backlog increased more than 5 requests</li> </ul> <p>6. If not, according to Annual FOIA Report Section V.A, did your agency process more requests during Fiscal Year 2020 than it did during Fiscal Year 2019?</p> <ul style="list-style-type: none"> <li>• <b>Dark Green:</b> Agency processed more in FY20 than in FY19.</li> <li>• <b>Yellow:</b> Agency processed the same amount in FY20 than in FY19.</li> <li>• <b>Red:</b> Agency processed less in FY20 than in FY19.</li> </ul> <p>7. If your agency's request backlog increased during Fiscal Year 2020, please explain why and describe the causes that contributed to your agency not being able to reduce its backlog. When doing so, please also indicate if any of the following were contributing factors:</p> <ul style="list-style-type: none"> <li>• An increase in the number of incoming requests.</li> <li>• A loss of staff.</li> </ul>

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

8. If you had a request backlog please report the percentage of requests that make up the backlog out of the total number of requests received by your agency in Fiscal Year 2020. Please use the following calculation based on data from your Annual FOIA Report: (backlogged requests from Section XII.A) divided by (requests received from Section V.A) x 100. If your agency has no request backlog, please answer with “N/A.”

- **Dark Green:** 0% to 10%
- **Light Green:** 11% to 20%
- **Yellow:** 21% to 30%
- **Orange:** 31% to 40%
- **Red:** 41% and above

### BACKLOGGED APPEALS

9. If your agency had a backlog of appeals at the close of Fiscal Year 2020, according to Section XII.A of the Annual FOIA Report, did that backlog decrease as compared with the backlog reported at the end of Fiscal Year 2019?

- **Dark Green:** Agency backlog decreased (or backlog was constant at 0)
- **Yellow:** Agency backlog was same as previous FY (not 0) or increased within 5 appeals
- **Red:** Agency backlog increased more than 5 appeals

10. If not, according to section VI.A of the Annual FOIA Report, did your agency process more appeals during Fiscal Year 2020

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

8. If you had a request backlog please report the percentage of requests that make up the backlog out of the total number of requests received by your agency in Fiscal Year 2020. Please use the following calculation based on data from your Annual FOIA Report: (backlogged requests from Section XII.A) divided by (requests received from Section V.A) x 100. If your agency has no request backlog, please answer with “N/A.”

- **Dark Green:** 0% to 10%
- **Light Green:** 11% to 20%
- **Yellow:** 21% to 30%
- **Orange:** 31% to 40%
- **Red:** 41% and above

### BACKLOGGED APPEALS

9. If your agency had a backlog of appeals at the close of Fiscal Year 2020, according to Section XII.A of the Annual FOIA Report, did that backlog decrease as compared with the backlog reported at the end of Fiscal Year 2019?

- **Dark Green:** Agency backlog decreased (or backlog was constant at 0)
- **Yellow:** Agency backlog was same as previous FY (not 0) or increased within 5 appeals
- **Red:** Agency backlog increased more than 5 appeals

10. If not, according to section VI.A of the Annual FOIA Report, did your agency process more appeals during Fiscal Year 2020

than it did during Fiscal Year 2019?

- **Dark Green:** Agency processed more in FY20 than in FY19.
- **Yellow:** Agency processed the same amount in FY20 than in FY19.
- **Red:** Agency processed less in FY20 than in FY19.

11. If your agency's appeal backlog increased during Fiscal Year 2020, please explain why and describe the causes that contributed to your agency not being able to reduce its backlog. When doing so, please also indicate if any of the following were contributing factors:

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

12. If you had an appeal backlog please report the percentage of appeals that make up the backlog out of the total number of appeals received by your agency in Fiscal Year 2020. Please use the following calculation based on data from your Annual FOIA Report: (backlogged appeals from Section XII.A) divided by (appeals received from Section VI.A) x 100. If your agency did not receive any appeals in Fiscal Year 2020 and/or has no appeal backlog, please answer with "N/A."

- **Dark Green:** 0% to 10%
- **Light Green:** 11% to 20%
- **Yellow:** 21% to 30%
- **Orange:** 31% to 40%
- **Red:** 41% and above

than it did during Fiscal Year 2019?

- **Dark Green:** Agency processed more in FY20 than in FY19.
- **Yellow:** Agency processed the same amount in FY20 than in FY19.
- **Red:** Agency processed less in FY20 than in FY19.

11. If your agency's appeal backlog increased during Fiscal Year 2020, please explain why and describe the causes that contributed to your agency not being able to reduce its backlog. When doing so, please also indicate if any of the following were contributing factors:

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

12. If you had an appeal backlog please report the percentage of appeals that make up the backlog out of the total number of appeals received by your agency in Fiscal Year 2020. Please use the following calculation based on data from your Annual FOIA Report: (backlogged appeals from Section XII.A) divided by (appeals received from Section VI.A) x 100. If your agency did not receive any appeals in Fiscal Year 2020 and/or has no appeal backlog, please answer with "N/A."

- **Dark Green:** 0% to 10%
- **Light Green:** 11% to 20%
- **Yellow:** 21% to 30%
- **Orange:** 31% to 40%
- **Red:** 41% and above

### C. Backlog Reduction Plans

Agencies Receiving More Than 1000 Requests	Agencies Receiving 50-1000 Requests
<p>13. In the 2020 guidelines for Chief FOIA Officer Reports, any agency with a backlog of over 1000 requests in Fiscal Year 2019 was asked to provide a plan for achieving backlog reduction in the year ahead. Did your agency implement a backlog reduction plan last year? If so, describe your agency's efforts in implementing this plan and note if your agency was able to achieve backlog reduction in Fiscal Year 2020? <b>(Not Graded)</b></p> <p>14. If your agency had a backlog of more than 1,000 requests in Fiscal Year 2020, please explain your agency's plan to reduce this backlog during Fiscal Year 2021. <b>(Not Graded)</b></p>	<p>13. In the 2020 guidelines for Chief FOIA Officer Reports, any agency with a backlog of over 1000 requests in Fiscal Year 2019 was asked to provide a plan for achieving backlog reduction in the year ahead. Did your agency implement a backlog reduction plan last year? If so, describe your agency's efforts in implementing this plan and note if your agency was able to achieve backlog reduction in Fiscal Year 2020? <b>(Not Graded)</b></p> <p>14. If your agency had a backlog of more than 1,000 requests in Fiscal Year 2020, please explain your agency's plan to reduce this backlog during Fiscal Year 2021 <b>(Not Graded)</b></p>

***D. Status of Ten Oldest Requests, Appeals, and Consultations***

Agencies Receiving More Than 1000 Requests	Agencies Receiving 50-1000 Requests
<p><b>TEN OLDEST REQUESTS</b></p> <p>15. In Fiscal Year 2020, did your agency close the ten oldest pending perfected requests that were reported in Section VII.E. of your Fiscal Year 2019 Annual FOIA Report?</p> <ul style="list-style-type: none"> <li>• <b>Dark Green:</b> Agency answered yes (or no ten oldest to close)</li> <li>• <b>Red:</b> Agency answered no</li> </ul> <p>16. If no, please provide the number of these requests your agency was able to close by the end of the fiscal year, as listed in Section VII.E of your Fiscal Year 2019 Annual FOIA Report. If you had less than ten total oldest requests to close, please indicate that. <b>(Not Graded)</b></p> <p>17. Beyond work on the ten oldest requests, please describe any steps your agency took to reduce the overall age of your pending requests. <b>(Not Graded)</b></p>	<p><b>TEN OLDEST REQUESTS</b></p> <p>15. In Fiscal Year 2020, did your agency close the ten oldest pending perfected requests that were reported pending in Section VII.E. of your Fiscal Year 2019 Annual FOIA Report?</p> <ul style="list-style-type: none"> <li>• <b>Dark Green:</b> Agency answered yes (or no ten oldest to close)</li> <li>• <b>Red:</b> Agency answered no</li> </ul> <p>16. If no, please provide the number of these requests your agency was able to close by the end of the fiscal year, as listed in Section VII.E of your Fiscal Year 2019 Annual FOIA Report. If you had less than ten total oldest requests to close, please indicate that. <b>(Not Graded)</b></p> <p>17. Beyond work on the ten oldest requests, please describe any steps your agency took to reduce the overall age of your pending requests. <b>(Not Graded)</b></p>

### TEN OLDEST APPEALS

18. In Fiscal Year 2020, did your agency close the ten oldest appeals that were reported pending in Section VII.C.5. of your Fiscal Year 2019 Annual FOIA Report?

- **Dark Green:** Agency answered yes (or no ten oldest to close)
- **Red:** Agency answered no

19. If no, please provide the number of these appeals your agency was able to close by the end of the fiscal year, as listed in Section VII.C.(5) of your Fiscal Year 2019 Annual FOIA Report. If you had less than ten total oldest appeals to close, please indicate that. **(Not Graded)**

20. Beyond work on the ten oldest appeals, please describe any steps your agency took to reduce the overall age of your pending appeals. **(Not Graded)**

### TEN OLDEST CONSULTATIONS

21. In Fiscal Year 2020, did your agency close the ten oldest consultations that were reported pending in Section XII.C. of your Fiscal Year 2019 Annual FOIA Report?

- **Dark Green:** Agency answered yes (or no ten oldest to close)
- **Red:** Agency answered no

22. If no, please provide the number of these consultations your agency was able to close by the end of the fiscal year, as listed in Section XII.C. of your Fiscal Year 2019 Annual FOIA Report. If you had less than ten total oldest consultations to close, please indicate that. **(Not Graded)**

### TEN OLDEST APPEALS

18. In Fiscal Year 2020, did your agency close the ten oldest appeals that were reported pending in Section VII.C.5. of your Fiscal Year 2019 Annual FOIA Report?

- **Dark Green:** Agency answered yes (or no ten oldest to close)
- **Red:** Agency answered no

19. If no, please provide the number of these appeals your agency was able to close by the end of the fiscal year, as listed in Section VII.C.(5) of your Fiscal Year 2019 Annual FOIA Report. If you had less than ten total oldest appeals to close, please indicate that. **(Not Graded)**

20. Beyond work on the ten oldest appeals, please describe any steps your agency took to reduce the overall age of your pending appeals. **(Not Graded)**

### TEN OLDEST CONSULTATIONS

21. In Fiscal Year 2020, did your agency close the ten oldest consultations that were reported pending in Section XII.C. of your Fiscal Year 2019 Annual FOIA Report?

- **Dark Green:** Agency answered yes (or no ten oldest to close)
- **Red:** Agency answered no

22. If no, please provide the number of these consultations your agency was able to close by the end of the fiscal year, as listed in Section XII.C. of your Fiscal Year 2019 Annual FOIA Report. If you had less than ten total oldest consultations to close, please indicate that. **(Not Graded)**

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

Agencies Receiving More Than 1000 Requests	Agencies Receiving 50-1000 Requests
<p>23. Briefly explain any obstacles your agency faced in closing its ten oldest requests, appeals, and consultations from Fiscal Year 2019. <b>(Not Graded)</b></p>	<p>23. Briefly explain any obstacles your agency faced in closing its ten oldest requests, appeals, and consultations from Fiscal Year 2019. <b>(Not Graded)</b></p>
<p>24. If your agency was unable to close any of its ten oldest requests because you were waiting to hear back from other agencies on consultations you sent, please provide the date the request was initially received by your agency, the date when your agency sent the consultation, and the date when you last contacted the agency where the consultation was pending. <b>(Not Graded)</b></p>	<p>24. If your agency was unable to close any of its ten oldest requests because you were waiting to hear back from other agencies on consultations you sent, please provide the date the request was initially received by your agency, the date when your agency sent the consultation, and the date when you last contacted the agency where the consultation was pending. <b>(Not Graded)</b></p>
<p>25. If your agency did not close its ten oldest pending requests, appeals, or consultations, please provide a plan describing how your agency intends to close those “ten oldest” requests, appeals, and consultations during Fiscal Year 2021. <b>(Not Graded)</b></p>	<p>25. If your agency did not close its ten oldest pending requests, appeals, or consultations, please provide a plan describing how your agency intends to close those “ten oldest” requests, appeals, and consultations during Fiscal Year 2021. <b>(Not Graded)</b></p>

***F. Success Stories***

Agencies Receiving More Than 1000 Requests	Agencies Receiving 50-1000 Requests
<p>Out of all the activities undertaken by your agency since March 2020 to increase transparency and improve FOIA administration, please briefly describe here at least one success story that you would like to highlight as emblematic of your agency’s efforts. The success story can come from any one of the five key areas, but should not be something that you have reported in a prior year. As noted above, these agency <a href="#">success stories</a> will be highlighted during Sunshine Week by OIP. To facilitate this process, all agencies should use bullets to describe their success story and limit their text to a half page. The success story is designed to be a quick summary of key achievements. A complete description of all your efforts will be contained in the body of your Chief FOIA Officer Report.</p>	<p>Out of all the activities undertaken by your agency since March 2020 to increase transparency and improve FOIA administration, please briefly describe here at least one success story that you would like to highlight as emblematic of your agency’s efforts. The success story can come from any one of the five key areas, but should not be something that you have reported in a prior year. As noted above, these agency <a href="#">success stories</a> will be highlighted during Sunshine Week by OIP. To facilitate this process, all agencies should use bullets to describe their success story and limit their text to a half page. The success story is designed to be a quick summary of key achievements. A complete description of all your efforts will be contained in the body of your Chief FOIA Officer Report.</p>



**2021 Chief FOIA Officer Reports - Assessment of Federal Departments and Agencies**  
 Agencies Receiving More than 1,000 Requests (FY 2019)

Section I: Steps Taken to Apply the Presumption of Openness							Section II: Effective System for Responding to Requests		Section III: Proactive Disclosures	Section IV: Use of Technology		
Agency	CFO Level	Training		Agency Conducted Outreach with Requester Community	Outreach to Non FOIA Staff	Adjudicating Requests for Expedited Processing		Making Information More Useful	Reviewed Website	Quarterly Report Postings	FY 2019 Raw Data Posting	
		Attended FOIA Training	Estimate of FOIA Professionals who Attended Training			Average Number of Days <10	Average Number of Days					
CIA				100%				5.17				
DHS				99%				34.7				
DOC				88%				28.87				
DOD				79%				7.06				
DOE				80%				9.2				
DOI				95%				33.28				
DOJ				90%				6.96				
DOT				85%				1.52				
ED				90%				24.35				
EEOC				90%				11.25				
EPA				100%				21.06				
FTC				100%				6.6				
GSA				100%				2.31				
HHS				85%				6.06				
HUD				80%				12.06				





**2021 Chief FOIA Officer Reports - Assessment of Federal Departments and Agencies**  
 Agencies Receiving More than 1,000 Requests (FY 2019)

Section I: Steps Taken to Apply the Presumption of Openness							Section II: Effective System for Responding to Requests		Section III: Proactive Disclosures	Section IV: Use of Technology		
Agency	CFO Level	Training		Agency Conducted Outreach with Requester Community	Outreach to Non FOIA Staff	Adjudicating Requests for Expedited Processing		Making Information More Useful	Reviewed Website	Quarterly Report Postings	FY 2019 Raw Data Posting	
		Attended FOIA Training	Estimate of FOIA Professionals who Attended Training			Average Number of Days <10	Average Number of Days					
Labor				98%				75.6				
NARA				85%				5				
NLRB				100%				3.49				
OPM				100%			N/A	N/A				
PBGC				100%				3				
SEC				100%				4.12				
SSA				100%				4				
State				80%				25.64				
Treasury				100%				2				
USDA				96%				23.5				
USPS				100%				4.68				
VA				87%				39.58				



**2021 Chief FOIA Officer Reports - Assessment of Federal Departments and Agencies**  
 Agencies Receiving More than 1,000 Requests (FY 2019)

Section V Steps Taken to Improve Timeliness in Responding to Requests (Req.) and Reducing Backlogs																			
Agency	Simple Track				Backlog Decreased				Percentage of Backlog to # of Req./App. Received in FY 2020				Agency Closed Ten Oldest Req., Appeals (App.) & Consultations (Consults.). If not, # closed in FY 2020						
	Has a Simple Track?	Score	Avg. No. of Days to Process	% of Req. In Simple Track	Req.	Process More Req.	App.	Process More App.	Req. Score	Req. %	App. Score	App. %	Req.	If no, # closed	App.	If no, # closed	Consults	If no, # closed	
CIA	Yes		6.9	18.95%						94.5%		177%		7 / 10		0 / 10		N/A	
DHS	Yes		34.1	45%						9%		5%		N/A		8 / 10		3 / 10	
DOC	Yes			46.5%		N/A		N/A		31.18%		90.8%		6 / 10		0 / 10		4 / 10	
DOD	Yes		23.55	51%						29.6%		93%		0 / 10		1 / 10		0 / 10	
DOE	Yes		81.11	63%						38%		28%		5 / 10		0 / 10		6 / 10	
DOI	Yes		78.77	62%				N/A		71.4%		231%		5 / 10		N/A		N/A	
DOJ	Yes		64.37	68.14%				N/A		35.45%		15.8%		8 / 10		N/A		N/A	
DOT	Yes									29%		106%		8 / 10		3 / 10		4 / 10	
ED	Yes		8.34	57%		N/A		N/A		36%		106%		9 / 10		9 / 10		N/A	
EEOC	Yes		12.62	87%						5.5%		4.59%		8 / 10		N/A		N/A	
EPA	Yes		48.77	73%		N/A		N/A		25.87%		1.5%		9 / 10		N/A		5 / 10	
FTC	Yes		6.07	62.17%		N/A		N/A		0.17%		0%		N/A		N/A		N/A	
GSA	Yes		16.02	39.32%				N/A		26.1%		31.4%		7 / 10		5 / 10		N/A	
HHS	Yes		21.44	33.95%						24%		163%		5 / 10		1 / 10		7 / 10	
HUD	Yes		52.87	81%				N/A		55%		0%		4 / 10		N/A		N/A	
Labor	Yes		36	31%						11%		141%		N/A		N/A		7 / 10	
NARA	Yes		11	97.38%						13.65%		49.49%		7 / 10		0 / 10		N/A	
NLRB	No		18.31	N/A		N/A		N/A		.2%		N/A		N/A		N/A		N/A	



**2021 Chief FOIA Officer Reports - Assessment of Federal Departments and Agencies**  
 Agencies Receiving More than 1,000 Requests (FY 2019)

Section V Steps Taken to Improve Timeliness in Responding to Requests (Req.) and Reducing Backlogs																		
Agency	Simple Track				Backlog Decreased				Percentage of Backlog to # of Req./App. Received in FY 2020				Agency Closed Ten Oldest Req., Appeals (App.) & Consultations (Consults.). If not, # closed in FY 2020					
	Has a Simple Track?	Score	Avg. No. of Days to Process	% of Req. In Simple Track	Req.	Process More Req.	App.	Process More App.	Req. Score	Req. %	App. Score	App. %	Req.	If no, # closed	App.	If no, # closed	Consults	If no, # closed
OPM	Yes					N/A		N/A		2.5%		4.8%		9 / 10		N/A		N/A
PBGC	Yes		15.51	69.7%		N/A		N/A		0%		0%		N/A		N/A		N/A
SEC	Yes		13.79	99.8%		N/A		N/A		1.38%		N/A		6 / 10		N/A		N/A
SSA	Yes		14	93.04%				N/A		17.65%		1.68%		N/A		N/A		N/A
State	Yes		86.85	18.29%						153%		99%		9 / 10		8 / 10		N/A
Treasury	Yes		13	20%				N/A		18%		30%		6 / 10		8 / 10		6 / 10
USDA	Yes		27.92	89.91%		N/A		N/A		11.16%		224.24%		N/A		10 / 10		7 / 10
USPS	Yes		9.33	83.6%						2.51%		.67%		5 / 10		N/A		N/A
VA	Yes		33.97	83%				N/A		17%		17%		N/A		N/A		N/A



**2021 Chief FOIA Officer Reports - Assessment of Federal Departments and Agencies**  
 Agencies Receiving 51-1,000 Requests (FY 2019)

Section I: Steps Taken to Apply the Presumption of Openness					Section II: Effective System for Responding to Requests		Section III: Proactive Disclosures	Section IV: Use of Technology		
Agency	CFO Level	Training		Outreach to Non-FOIA Staff	Adjudicating Requests for Expedited Processing		Making Information More Useful	Reviewed Website	Quarterly Report Postings	FY 2019 Raw Data Posting
		Attended FOIA Training	Estimate of FOIA Professionals who Attended Training		Average Number of Days <10	Average Number of Days				
CEQ			100%			3.71				
CFPB			100%			1				
CFTC			100%			6				
CIGIE			20%		N/A	N/A				
CNCS			100%			19				
CSOSA			100%		N/A	N/A				
DFC			100%			8.6				
Ex-Im Bank			80%			13				
FCC			100%			6.56				
FDIC			100%			5.32				
FEC			100%		N/A	N/A				
FERC			100%			6				
FHFA			100%			7				
FLRA			86%			11.22				



**2021 Chief FOIA Officer Reports - Assessment of Federal Departments and Agencies**  
 Agencies Receiving 51-1,000 Requests (FY 2019)

Section I: Steps Taken to Apply the Presumption of Openness					Section II: Effective System for Responding to Requests		Section III: Proactive Disclosures	Section IV: Use of Technology		
Agency	CFO Level	Training		Outreach to Non-FOIA Staff	Adjudicating Requests for Expedited Processing		Making Information More Useful	Reviewed Website	Quarterly Report Postings	FY 2019 Raw Data Posting
		Attended FOIA Training	Estimate of FOIA Professionals who Attended Training		Average Number of Days <10	Average Number of Days				
FMSHRC	Green	Red	0%	Green	Green	3	Green	Green	Green	Green
FRB	Green	Green	100%	Green	Green	6	Green	Green	Green	Green
MSPB	Green	Green	100%	Green	Green	2.44	Green	Green	Green	Green
NASA	Green	Green	50%	Green	Green	10	Green	Green	Green	Green
NCUA	Green	Green	100%	Green	Green	2.33	Green	Green	Green	Green
NEA	Green	Green	90%	Green	Green	7	Green	Green	Green	Green
NEH	Green	Green	100%	Green	Green	3.5	Green	Green	Light Green	Green
NRPC	Green	Green	100%	Green	Green	1	Green	Red	Red	Red
NSF	Green	Green	100%	Green	Green	7	Green	Green	Light Green	Green
NTSB	Green	Green	100%	Green	Green	5	Green	Green	Green	Green
ODNI	Green	Green	100%	Green	Green	<1	Green	Green	Light Green	Red
OGE	Green	Green	80%	Green	Red	17.5	Green	Green	Green	Green
OMB	Green	Green	100%	Green	N/A	N/A	Green	Green	Light Green	Green
ONDCP	Green	Green	50%	Green	Green	8	Green	Green	Light Green	Red



**2021 Chief FOIA Officer Reports - Assessment of Federal Departments and Agencies**  
 Agencies Receiving 51-1,000 Requests (FY 2019)

Section I: Steps Taken to Apply the Presumption of Openness					Section II: Effective System for Responding to Requests		Section III: Proactive Disclosures	Section IV: Use of Technology		
Agency	CFO Level	Training		Outreach to Non-FOIA Staff	Adjudicating Requests for Expedited Processing		Making Information More Useful	Reviewed Website	Quarterly Report Postings	FY 2019 Raw Data Posting
		Attended FOIA Training	Estimate of FOIA Professionals who Attended Training		Average Number of Days <10	Average Number of Days				
OSC			100%			2.9				
OSHRC			100%		N/A	N/A				
OSTP			100%			45.2				
PC			100%			<1				
SBA			100%			25.87				
SSS			100%			7				
TVA			100%			12				
USAGM			80%			6.5				
USAID			100%			1.85				
USCPSC			100%			29				
USIBWC			0%		N/A	N/A				
USNRC			100%			<1				
USRRB			0%		N/A	N/A				
USTR			100%			7				



**2021 Chief FOIA Officer Reports - Assessment of Federal Departments and Agencies**  
 Agencies Receiving 51-1,000 Requests (FY 2019)

Section V Steps Taken to Improve Timeliness in Responding to Requests (Req.) and Reducing Backlogs																		
Agency	Simple Track				Agency Backlog Decreased				Percentage of Backlog to # of Req./App. Received in FY 2020				Agency Closed Ten Oldest Req., Appeals (App.) & Consultations (Consults.). If not, # closed in FY 2020					
	Has a Simple Track?	Score	Avg. No. of Days to Process	% of Req. In Simple Track	Req.	Process More Req.	App.	Process More App.	Req. Score	Req. %	App. Score	App. %	Req.	If no, # closed	App.	If no, # closed	Consults	If no, # closed
CEQ	Yes		30.38	60.7%						33%		33%		1/10		N/A		N/A
CFPB	Yes		11.78	46%		N/A		N/A		3.37%		0%		N/A		N/A		N/A
CFTC	Yes		12	63%		N/A		N/A		37.6%		0%		N/A		N/A		N/A
CIGIE	Yes		26	14%						97%		100%		9 / 10		N/A		N/A
CNCS	Yes		12.6	73.9%		N/A		N/A		2%		0%		N/A		N/A		N/A
CSOSA	Yes		2	19%		N/A		N/A		0%		0%		N/A		N/A		N/A
DFC	Yes		11.6	70.8%		N/A		N/A		51.8%		0%		7 / 10		N/A		N/A
Ex-Im Bank	Yes		32.3	50%		N/A		N/A		25%		0%		8 / 10		N/A		N/A
FCC	Yes		13.07	65.11%						3.67%		40%		4 / 10		1 / 3		N/A
FDIC	Yes		8.06	49.4%				N/A		2.96%		0%		9 / 10		N/A		N/A
FEC	Yes		36.4	53.3%		N/A				11.4%		25%		9 / 10		N/A		N/A
FERC	Yes		66	24%		N/A		N/A		28.76%		N/A		7 / 10		N/A		N/A
FHFA	Yes		8.98	62%						22.5%		25%		8 / 10		N/A		N/A
FLRA	Yes		11.04	95.32%		N/A		N/A		N/A		N/A		N/A		N/A		N/A
FMSHRC	Yes		4.4	76.9%		N/A		N/A		N/A		N/A		N/A		N/A		N/A
FRB	Yes		12	42%						3%		15%		7 / 10		N/A		3 / 4
MSPB	Yes		5.65	58%						39.37%		8%		7 / 10		1 / 3		N/A
NASA	Yes		11.62	39.7%				N/A		4.6%		N/A		8 / 10		N/A		N/A



**2021 Chief FOIA Officer Reports - Assessment of Federal Departments and Agencies**  
 Agencies Receiving 51-1,000 Requests (FY 2019)

Section V Steps Taken to Improve Timeliness in Responding to Requests (Req.) and Reducing Backlogs																		
Agency	Simple Track				Agency Backlog Decreased				Percentage of Backlog to # of Req./App. Received in FY 2020				Agency Closed Ten Oldest Req., Appeals (App.) & Consultations (Consults.). If not, # closed in FY 2020					
	Has a Simple Track?	Score	Avg. No. of Days to Process	% of Req. In Simple Track	Req.	Process More Req.	App.	Process More App.	Req. Score	Req. %	App. Score	App. %	Req.	If no, # closed	App.	If no, # closed	Consults	If no, # closed
NCUA	Yes	█	9.64	21%	█	█	█	N/A	█	0.75%	█	N/A	█	N/A	█	N/A	█	N/A
NEA	Yes	█	13	92%	█	N/A	█	N/A	█	0%	█	0%	█	N/A	█	N/A	█	N/A
NEH	Yes	█	9.4	84.7	█	█	█	N/A	█	3%	█	0%	█	N/A	█	N/A	█	N/A
NRPC	Yes	█	217.25	0.86%	█	N/A	█	█	█	24%	█	366%	█	3 / 10	█	3 / 9	█	N/A
NSF	Yes	█	56	27%	█	█	█	N/A	█	132%	█	0%	█	1 / 10	█	N/A	█	N/A
NTSB	Yes	█	213.39	17%	█	N/A	█	N/A	█	19%	█	N/A	█	N/A	█	N/A	█	N/A
ODNI	Yes	█	4.68	47%	█	█	█	N/A	█	132.06%	█	16%	█	4 / 10	█	9 / 10	█	9 / 10
OGE	No	█	90.7	N/A	█	█	█	N/A	█	38.5%	█	0%	█	N/A	█	N/A	█	N/A
OMB	Yes	█	102	27.5%	█	█	█	█	█	146%	█	167%	█	2 / 10	█	1 / 5	█	N/A
ONDCP	Yes	█	12	68%	█	█	█	N/A	█	47%	█	0%	█	1 / 10	█	N/A	█	N/A
OSC	Yes	█	51.94	34.19	█	N/A	█	N/A	█	9.72%	█	0%	█	N/A	█	N/A	█	N/A
OSHRC	Yes	█	5.9	95.4%	█	█	█	N/A	█	2.13%	█	0%	█	9 / 10	█	N/A	█	N/A
OSTP	Yes	█	216.07	60%	█	█	█	N/A	█	121%	█	N/A	█	4 / 10	█	N/A	█	N/A
PC	Yes	█	69.48	85%	█	█	█	N/A	█	50%	█	0%	█	4 / 10	█	N/A	█	N/A
SBA	Yes	█	20.2	80%	█	█	█	█	█	8%	█	26%	█	N/A	█	N/A	█	N/A
SSS	No	█	3.16	100%	█	N/A	█	N/A	█	0%	█	N/A	█	N/A	█	N/A	█	N/A
TVA	Yes	█	14.14	85%	█	█	█	N/A	█	6%	█	N/A	█	N/A	█	N/A	█	N/A
USAGM	No	█	52	N/A	█	█	█	█	█	70%	█	50%	█	N/A	█	N/A	█	N/A





**2021 Chief FOIA Officer Reports - Assessment of Federal Departments and Agencies**  
 Agencies Receiving 51-1,000 Requests (FY 2019)

Section V Steps Taken to Improve Timeliness in Responding to Requests (Req.) and Reducing Backlogs																		
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	Has a Simple Track?	Score	Avg. No. of Days to Process	% of Req. In Simple Track	Req.	Process More Req.	App.	Process More App.	Req. Score	Req. %	App. Score	App. %	Req.	If no, # closed	App.	If no, # closed	Consults	If no, # closed
USAID	Yes		140	1%				N/A		87%		8.33%		N/A		N/A		N/A
USCPSC	Yes		119.51	26.67				N/A		88.47%		N/A		6 / 10		N/A		N/A
USIBWC	No		32.3	100%				N/A		52.8%		N/A		4 / 10		N/A		N/A
USNRC	Yes		17.11	64.6%						28%		12.5%		4 / 10		1 / 4		0 / 3
USRRB	No		71.82	100%		N/A		N/A		1.27%		N/A		N/A		N/A		N/A
USTR	Yes		23	77.42%				N/A		1.3%		0%		N/A		N/A		N/A



**2021 Chief FOIA Officer Reports - Assessment of Federal Departments and Agencies**  
 Agencies Receiving More than 1,000 Requests (FY 2019)

Section I: Steps Taken to Apply the Presumption of Openness							Section II: Effective System for Responding to Requests		Section III: Proactive Disclosures	Section IV: Use of Technology		
Agency	CFO Level	Training			Agency Conducted Outreach with Requester Community	Outreach to Non FOIA Staff	Adjudicating Requests for Expedited Processing		Making Information More Useful	Reviewed Website	Quarterly Report Postings	FY 2019 Raw Data Posting
		Attended FOIA Training	Estimate of FOIA Professionals who Attended Training	Average Number of Days <10			Average Number of Days					
CIA	DG	DG	DG	100%	DG	DG	DG	5.17	DG	DG	DG	DG
DHS	DG	DG	DG	99%	DG	DG	R	34.7	DG	DG	DG	DG
DOC	DG	DG	DG	88%	DG	DG	R	28.87	DG	DG	LG	DG
DOD	DG	DG	LG	79%	DG	DG	DG	7.06	DG	DG	DG	DG
DOE	DG	DG	LG	80%	DG	DG	DG	9.2	DG	DG	R	DG
DOI	DG	DG	DG	95%	DG	DG	R	33.28	DG	DG	LG	DG
DOJ	DG	DG	DG	90%	DG	DG	DG	6.96	DG	DG	DG	DG
DOT	DG	DG	DG	85%	DG	DG	DG	1.52	DG	DG	LG	DG
ED	DG	DG	DG	90%	R	DG	R	24.35	DG	DG	DG	DG
EEOC	R	DG	DG	90%	DG	DG	O	11.25	DG	DG	DG	DG
EPA	DG	DG	DG	100%	DG	DG	R	21.06	DG	DG	Y	R
FTC	DG	DG	DG	100%	Y	DG	DG	6.6	DG	DG	DG	DG
GSA	DG	DG	DG	100%	DG	DG	DG	2.31	DG	DG	DG	DG
HHS	DG	DG	DG	85%	DG	DG	DG	6.06	DG	DG	LG	DG
HUD	DG	DG	LG	80%	DG	DG	R	12.06	Y	R	DG	DG



**2021 Chief FOIA Officer Reports - Assessment of Federal Departments and Agencies**  
 Agencies Receiving More than 1,000 Requests (FY 2019)

Section I: Steps Taken to Apply the Presumption of Openness							Section II: Effective System for Responding to Requests		Section III: Proactive Disclosures	Section IV: Use of Technology		
Agency	CFO Level	Training		Agency Conducted Outreach with Requester Community	Outreach to Non FOIA Staff	Adjudicating Requests for Expedited Processing		Making Information More Useful	Reviewed Website	Quarterly Report Postings	FY 2019 Raw Data Posting	
		Attended FOIA Training	Estimate of FOIA Professionals who Attended Training			Average Number of Days <10	Average Number of Days					
Labor	DG	DG	DG	98%	DG	DG	R	75.6	DG	DG	LG	DG
NARA	DG	DG	DG	85%	DG	DG	DG	5	DG	DG	LG	DG
NLRB	DG	DG	DG	100%	DG	DG	DG	3.49	DG	DG	DG	DG
OPM	DG	DG	DG	100%	Y	DG	N/A	N/A	R	DG	R	R
PBGC	DG	DG	DG	100%	DG	DG	DG	3	DG	DG	LG	DG
SEC	DG	DG	DG	100%	DG	DG	DG	4.12	DG	DG	LG	DG
SSA	DG	DG	DG	100%	DG	DG	DG	4	DG	DG	DG	DG
State	DG	DG	LG	80%	DG	DG	R	25.64	DG	DG	DG	DG
Treasury	DG	DG	DG	100%	DG	DG	DG	2	DG	DG	DG	DG
USDA	DG	DG	DG	96%	DG	DG	R	23.5	DG	DG	DG	DG
USPS	DG	DG	DG	100%	DG	DG	DG	4.68	DG	DG	DG	DG
VA	DG	DG	DG	87%	R	DG	R	39.58	DG	DG	Y	DG



**2021 Chief FOIA Officer Reports - Assessment of Federal Departments and Agencies**  
 Agencies Receiving More than 1,000 Requests (FY 2019)

Section V Steps Taken to Improve Timeliness in Responding to Requests (Req.) and Reducing Backlogs																		
Agency	Simple Track				Backlog Decreased				Percentage of Backlog to # of Req./App. Received in FY 2020				Agency Closed Ten Oldest Req., Appeals (App.) & Consultations (Consults.). If not, # closed in FY 2020					
	Has a Simple Track?	Score	Avg. No. of Days to Process	% of Req. In Simple Track	Req.	Process More Req.	App.	Process More App.	Req. Score	Req. %	App. Score	App. %	Req.	If no, # closed	App.	If no, # closed	Consults	If no, # closed
CIA	Yes	DG	6.9	18.95%	DG	R	R	R	R	94.5%	R	177%	R	7 / 10	R	0 / 10	DG	N/A
DHS	Yes	R	34.1	45%	R	R	R	DG	DG	9%	DG	5%	DG	N/A	R	8 / 10	R	3 / 10
DOC	Yes	R	57.99	46.5%	DG	N/A	DG	N/A	O	31.18%	R	90.8%	R	6 / 10	R	0 / 10	R	4 / 10
DOD	Yes	O	23.55	51%	R	R	R	R	Y	29.6%	R	93%	R	0 / 10	R	1 / 10	R	0 / 10
DOE	Yes	R	81.11	63%	R	R	Y	DG	O	38%	Y	28%	R	5 / 10	R	0 / 10	R	6 / 10
DOI	Yes	R	78.77	62%	R	R	DG	N/A	R	71.4%	R	231%	R	5 / 10	DG	N/A	DG	N/A
DOJ	Yes	R	64.37	68.14%	R	R	DG	N/A	O	35.45%	LG	15.8%	R	8 / 10	DG	N/A	DG	N/A
DOT	Yes	R	50.65	81.8%	R	DG	R	R	Y	29%	R	106%	R	8 / 10	R	3 / 10	R	4 / 10
ED	Yes	DG	8.34	57%	DG	N/A	DG	N/A	O	36%	RD	106%	R	9 / 10	R	9 / 10	DG	N/A
EEOC	Yes	DG	12.62	87%	R	R	R	DG	DG	5.5%	DG	4.59%	R	8 / 10	DG	N/A	DG	N/A
EPA	Yes	R	48.77	73%	DG	N/A	DG	N/A	Y	25.87%	DG	1.5%	R	9 / 10	DG	N/A	R	5 / 10
FTC	Yes	DG	6.07	62.17%	DG	N/A	DG	N/A	DG	0.17%	DG	0%	DG	N/A	DG	N/A	DG	N/A
GSA	Yes	DG	16.02	39.32%	R	DG	DG	N/A	Y	26.1%	O	31.4%	R	7 / 10	R	5 / 10	DG	N/A
HHS	Yes	LG	21.44	33.95%	R	DG	R	DG	Y	24%	R	163%	R	5 / 10	R	1 / 10	R	7 / 10
HUD	Yes	R	52.87	81%	R	R	DG	N/A	R	55%	DG	0%	R	4 / 10	DG	N/A	DG	N/A
Labor	Yes	R	36	31%	R	R	R	R	LG	11%	R	141%	DG	N/A	DG	N/A	R	7 / 10
NARA	Yes	DG	11	97.38%	R	R	Y	R	LG	13.65%	R	49.49%	R	7 / 10	R	0 / 10	DG	N/A
NLRB	No	DG	18.31	N/A	DG	N/A	DG	N/A	DG	.2%	DG	N/A	DG	N/A	DG	N/A	DG	N/A



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 Agencies Receiving More than 1,000 Requests (FY 2019)

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	Has a Simple Track?	Score	Avg. No. of Days to Process	% of Req. In Simple Track	Req.	Process More Req.	App.	Process More App.	Req. Score	Req. %	App. Score	App. %	Req.	If no, # closed	App.	If no, # closed	Consults	If no, # closed	
OPM	Yes	DG	2.6	95.3%	DG	N/A	DG	N/A	DG	2.5%	DG	4.8%	R	9 / 10	DG	N/A	DG	N/A	
PBGC	Yes	DG	15.51	69.7%	DG	N/A	DG	N/A	DG	0%	DG	0%	DG	N/A	DG	N/A	DG	N/A	
SEC	Yes	DG	13.79	99.8%	DG	N/A	DG	N/A	DG	1.38%	DG	N/A	R	6 / 10	DG	N/A	DG	N/A	
SSA	Yes	DG	14	93.04%	R	R	DG	N/A	LG	17.65%	DG	1.68%	DG	N/A	DG	N/A	DG	N/A	
State	Yes	R	86.85	18.29%	R	DG	R	R	R	153%	R	99%	R	9 / 10	R	8 / 10	DG	N/A	
Treasury	Yes	DG	13	20%	R	R	DG	N/A	LG	18%	Y	30%	R	6 / 10	R	8 / 10	R	6 / 10	
USDA	Yes	R	27.92	89.91%	DG	N/A	DG	N/A	LG	11.16%	RD	224.24%	DG	N/A	DG	10 / 10	R	7 / 10	
USPS	Yes	DG	9.33	83.6%	R	DG	Y	DG	DG	2.51%	DG	.67%	R	5 / 10	DG	N/A	DG	N/A	
VA	Yes	R	33.97	83%	R	R	DG	N/A	LG	17%	LG	17%	DG	N/A	DG	N/A	DG	N/A	



**2021 Chief FOIA Officer Reports - Assessment of Federal Departments and Agencies**  
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		Attended FOIA Training	Estimate of FOIA Professionals who Attended Training		Average Number of Days <10	Average Number of Days				
CEQ	DG	DG	100%	DG	DG	3.71	DG	DG	LG	DG
CFPB	DG	DG	100%	DG	DG	1	DG	DG	DG	DG
CFTC	DG	DG	100%	DG	DG	6	DG	DG	DG	DG
CIGIE	DG	DG	20%	DG	N/A	N/A	DG	DG	R	R
CNCS	DG	DG	100%	DG	R	19	DG	DG	DG	DG
CSOSA	DG	DG	100%	DG	N/A	N/A	DG	DG	DG	DG
DFC	DG	DG	100%	DG	DG	8.6	DG	DG	DG	DG
Ex-Im Bank	DG	DG	80%	DG	DG	13	DG	DG	DG	DG
FCC	DG	DG	100%	DG	DG	6.56	DG	DG	DG	DG
FDIC	DG	DG	100%	DG	DG	5.32	DG	DG	DG	DG
FEC	DG	DG	100%	DG	N/A	N/A	DG	DG	DG	DG
FERC	DG	DG	100%	DG	DG	6	DG	DG	LG	DG
FHFA	DG	DG	100%	DG	DG	7	DG	DG	DG	DG
FLRA	DG	DG	86%	DG	0	11.22	DG	DG	LG	DG



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		Attended FOIA Training	Estimate of FOIA Professionals who Attended Training		Average Number of Days <10	Average Number of Days				
FMSHRC	DG	R	0%	DG	DG	3	DG	DG	DG	DG
FRB	DG	DG	100%	DG	DG	6	DG	DG	DG	DG
MSPB	DG	DG	100%	DG	DG	2.44	DG	DG	DG	DG
NASA	DG	DG	50%	DG	DG	10	DG	DG	DG	DG
NCUA	DG	DG	100%	DG	DG	2.33	DG	DG	DG	DG
NEA	DG	DG	90%	DG	DG	7	DG	DG	DG	DG
NEH	DG	DG	100%	DG	DG	3.5	DG	DG	LG	DG
NRPC	DG	DG	100%	DG	DG	1	DG	R	R	R
NSF	DG	DG	100%	DG	DG	7	DG	DG	LG	DG
NTSB	DG	DG	100%	DG	DG	5	DG	DG	DG	DG
ODNI	DG	DG	100%	DG	DG	<1	DG	DG	LG	R
OGE	DG	DG	80%	DG	R	17.5	DG	DG	DG	DG
OMB	DG	DG	100%	DG	N/A	N/A	DG	DG	LG	DG
ONDCP	DG	DG	50%	DG	DG	8	DG	DG	LG	R



**2021 Chief FOIA Officer Reports - Assessment of Federal Departments and Agencies**  
 Agencies Receiving 51-1,000 Requests (FY 2019)

Section I: Steps Taken to Apply the Presumption of Openness					Section II: Effective System for Responding to Requests		Section III: Proactive Disclosures	Section IV: Use of Technology		
Agency	CFO Level	Training		Outreach to Non-FOIA Staff	Adjudicating Requests for Expedited Processing		Making Information More Useful	Reviewed Website	Quarterly Report Postings	FY 2019 Raw Data Posting
		Attended FOIA Training	Estimate of FOIA Professionals who Attended Training		Average Number of Days <10	Average Number of Days				
OSC	DG	DG	100%	DG	DG	2.9	DG	DG	LG	R
OSHRC	DG	DG	100%	DG	N/A	N/A	DG	DG	DG	DG
OSTP	DG	DG	100%	DG	R	45.2	DG	DG	DG	DG
PC	DG	DG	100%	DG	DG	<1	DG	DG	R	DG
SBA	DG	DG	100%	DG	R	25.87	DG	DG	LG	DG
SSS	DG	DG	100%	DG	DG	7	DG	DG	DG	DG
TVA	DG	DG	100%	DG	0	12	DG	DG	LG	DG
USAGM	DG	DG	80%	DG	DG	6.5	DG	DG	R	R
USAID	DG	DG	100%	DG	DG	1.85	DG	DG	LG	DG
USCPSC	DG	DG	100%	DG	R	29	DG	DG	DG	DG
USIBWC	DG	R	0%	R	N/A	N/A	DG	R	R	DG
USNRC	DG	DG	100%	DG	DG	<1	DG	DG	DG	DG
USRRB	DG	Y	0%	DG	N/A	N/A	R	DG	DG	DG
USTR	DG	DG	100%	DG	DG	7	DG	DG	DG	DG





**2021 Chief FOIA Officer Reports - Assessment of Federal Departments and Agencies**  
 Agencies Receiving 51-1,000 Requests (FY 2019)

Section V Steps Taken to Improve Timeliness in Responding to Requests (Req.) and Reducing Backlogs																		
Agency	Simple Track				Agency Backlog Decreased				Percentage of Backlog to # of Req./App. Received in FY 2020				Agency Closed Ten Oldest Req., Appeals (App.) & Consultations (Consults.). If not, # closed in FY 2020					
	Has a Simple Track?	Score	Avg. No. of Days to Process	% of Req. In Simple Track	Req.	Process More Req.	App.	Process More App.	Req. Score	Req. %	App. Score	App. %	Req.	If no, # closed	App.	If no, # closed	Consults	If no, # closed
CEQ	Yes	R	30.38	60.7%	R	DG	Y	Y	0	33%	0	33%	R	1/10	DG	N/A	DG	N/A
CFPB	Yes	DG	11.78	46%	DG	N/A	DG	N/A	DG	3.37%	DG	0%	DG	N/A	DG	N/A	DG	N/A
CFTC	Yes	DG	12	63%	DG	N/A	DG	N/A	0	37.6%	DG	0%	DG	N/A	DG	N/A	DG	N/A
CIGIE	Yes	R	26	14%	Y	DG	R	DG	R	97%	R	100%	R	9 / 10	DG	N/A	DG	N/A
CNCS	Yes	DG	12.6	73.9%	DG	N/A	DG	N/A	DG	2%	DG	0%	DG	N/A	DG	N/A	DG	N/A
CSOSA	Yes	DG	2	19%	DG	N/A	DG	N/A	DG	0%	DG	0%	DG	N/A	DG	N/A	DG	N/A
DFC	Yes	DG	11.6	70.8%	DG	N/A	DG	N/A	R	51.8%	DG	0%	R	7 / 10	DG	N/A	DG	N/A
Ex-Im Bank	Yes	R	32.3	50%	DG	N/A	DG	N/A	Y	25%	DG	0%	R	8 / 10	DG	N/A	DG	N/A
FCC	Yes	DG	13.07	65.11%	R	R	R	DG	DG	3.67%	0	40%	R	4 / 10	R	1 / 3	DG	N/A
FDIC	Yes	DG	8.06	49.4%	R	DG	DG	N/A	DG	2.96%	DG	0%	R	9 / 10	DG	N/A	DG	N/A
FEC	Yes	R	36.4	53.3%	DG	N/A	Y	R	LG	11.4%	Y	25%	R	9 / 10	DG	N/A	DG	N/A
FERC	Yes	R	66	24%	DG	N/A	DG	N/A	Y	28.76%	DG	N/A	R	7 / 10	DG	N/A	DG	N/A
FHFA	Yes	DG	8.98	62%	Y	R	R	R	Y	22.5%	Y	25%	R	8 / 10	DG	N/A	DG	N/A
FLRA	Yes	DG	11.04	95.32%	DG	N/A	DG	N/A	DG	N/A	DG	N/A	DG	N/A	DG	N/A	DG	N/A
FMSHRC	Yes	DG	4.4	76.9%	DG	N/A	DG	N/A	DG	N/A	DG	N/A	DG	N/A	DG	N/A	DG	N/A
FRB	Yes	DG	12	42%	R	DG	Y	DG	DG	3%	LG	15%	R	7 / 10	DG	N/A	R	3 / 4
MSPB	Yes	DG	5.65	58%	Y	DG	Y	DG	0	39.37%	DG	8%	R	7 / 10	R	1 / 3	DG	N/A
NASA	Yes	DG	11.62	39.7%	R	DG	DG	N/A	DG	4.6%	DG	N/A	R	8 / 10	DG	N/A	DG	N/A



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	Has a Simple Track?	Score	Avg. No. of Days to Process	% of Req. In Simple Track	Req.	Process More Req.	App.	Process More App.	Req. Score	Req. %	App. Score	App. %	Req.	If no, # closed	App.	If no, # closed	Consults	If no, # closed
NCUA	Yes	DG	9.64	21%	Y	R	DG	N/A	DG	0.75%	DG	N/A	DG	N/A	DG	N/A	DG	N/A
NEA	Yes	DG	13	92%	DG	N/A	DG	N/A	DG	0%	DG	0%	DG	N/A	DG	N/A	DG	N/A
NEH	Yes	DG	9.4	84.7	Y	DG	DG	N/A	DG	3%	DG	0%	DG	N/A	DG	N/A	DG	N/A
NRPC	Yes	R	217.25	0.86%	DG	N/A	Y	Y	Y	24%	R	366%	R	3 / 10	R	3 / 9	DG	N/A
NSF	Yes	R	56	27%	R	R	DG	N/A	R	132%	DG	0%	R	1 / 10	DG	N/A	DG	N/A
NTSB	Yes	R	213.39	17%	DG	N/A	DG	N/A	LG	19%	DG	N/A	DG	N/A	DG	N/A	DG	N/A
ODNI	Yes	DG	4.68	47%	R	R	DG	N/A	R	132.06%	LG	16%	R	4 / 10	R	9 / 10	R	9 / 10
OGE	No	R	90.7	N/A	Y	R	DG	N/A	O	38.5%	DG	0%	DG	N/A	DG	N/A	DG	N/A
OMB	Yes	R	102	27.5%	R	DG	R	R	R	146%	R	167%	R	2 / 10	R	1 / 5	DG	N/A
ONDCP	Yes	DG	12	68%	R	R	DG	N/A	R	47%	DG	0%	R	1 / 10	DG	N/A	DG	N/A
OSC	Yes	R	51.94	34.19	DG	N/A	DG	N/A	DG	9.72%	DG	0%	DG	N/A	DG	N/A	DG	N/A
OSHRC	Yes	DG	5.9	95.4%	Y	DG	DG	N/A	DG	2.13%	DG	0%	R	9 / 10	DG	N/A	DG	N/A
OSTP	Yes	R	216.07	60%	RD	DG	DG	N/A	R	121%	DG	N/A	R	4 / 10	DG	N/A	DG	N/A
PC	Yes	R	69.48	85%	R	DG	DG	N/A	R	50%	DG	0%	R	4 / 10	DG	N/A	DG	N/A
SBA	Yes	LG	20.2	80%	R	DG	R	DG	DG	8%	Y	26%	DG	N/A	DG	N/A	DG	N/A
SSS	No	DG	3.16	100%	DG	N/A	DG	N/A	DG	0%	DG	N/A	DG	N/A	DG	N/A	DG	N/A
TVA	Yes	DG	14.14	85%	R	DG	DG	N/A	DG	6%	DG	N/A	DG	N/A	DG	N/A	DG	N/A
USAGM	No	Y	52	N/A	R	R	Y	R	R	70%	R	50%	DG	N/A	DG	N/A	DG	N/A



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	Has a Simple Track?	Score	Avg. No. of Days to Process	% of Req. In Simple Track	Req.	Process More Req.	App.	Process More App.	Req. Score	Req. %	App. Score	App. %	Req.	If no, # closed	App.	If no, # closed	Consults	If no, # closed
USAID	Yes	R	140	1%	R	R	DG	N/A	R	87%	DG	8.33%	DG	N/A	DG	N/A	DG	N/A
USCPSC	Yes	RD	119.51	26.67	Y	DG	DG	N/A	R	88.47%	DG	N/A	R	6 / 10	DG	N/A	DG	N/A
USIBWC	No	Y	32.3	100%	R	R	DG	N/A	R	52.8%	DG	N/A	R	4 / 10	DG	N/A	DG	N/A
USNRC	Yes	DG	17.11	64.6%	R	R	Y	R	Y	28%	LG	12.5%	R	4 / 10	R	1 / 4	R	0 / 3
USRRB	No	Y	71.82	100%	DG	N/A	DG	N/A	DG	1.27%	DG	N/A	DG	N/A	DG	N/A	DG	N/A
USTR	Yes	Y	23	77.42%	Y	DG	DG	N/A	DG	1.3%	DG	0%	DG	N/A	DG	N/A	DG	N/A