



Summary of Agency Chief FOIA Officer
Reports for 2022
and
Assessment of Agency Progress in FOIA
Administration
with
OIP Guidance for Further Improvement

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].”¹ 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' [2022 Chief FOIA Officer Reports](#), as well as their [Fiscal Year \(FY\) 2021 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-eight high-volume agencies receiving more than 1,000 requests and the thirty-nine medium-volume agencies receiving between 51-1,000 requests. Based on its review, OIP has also issued guidance to agencies for continued improvement in the years ahead.

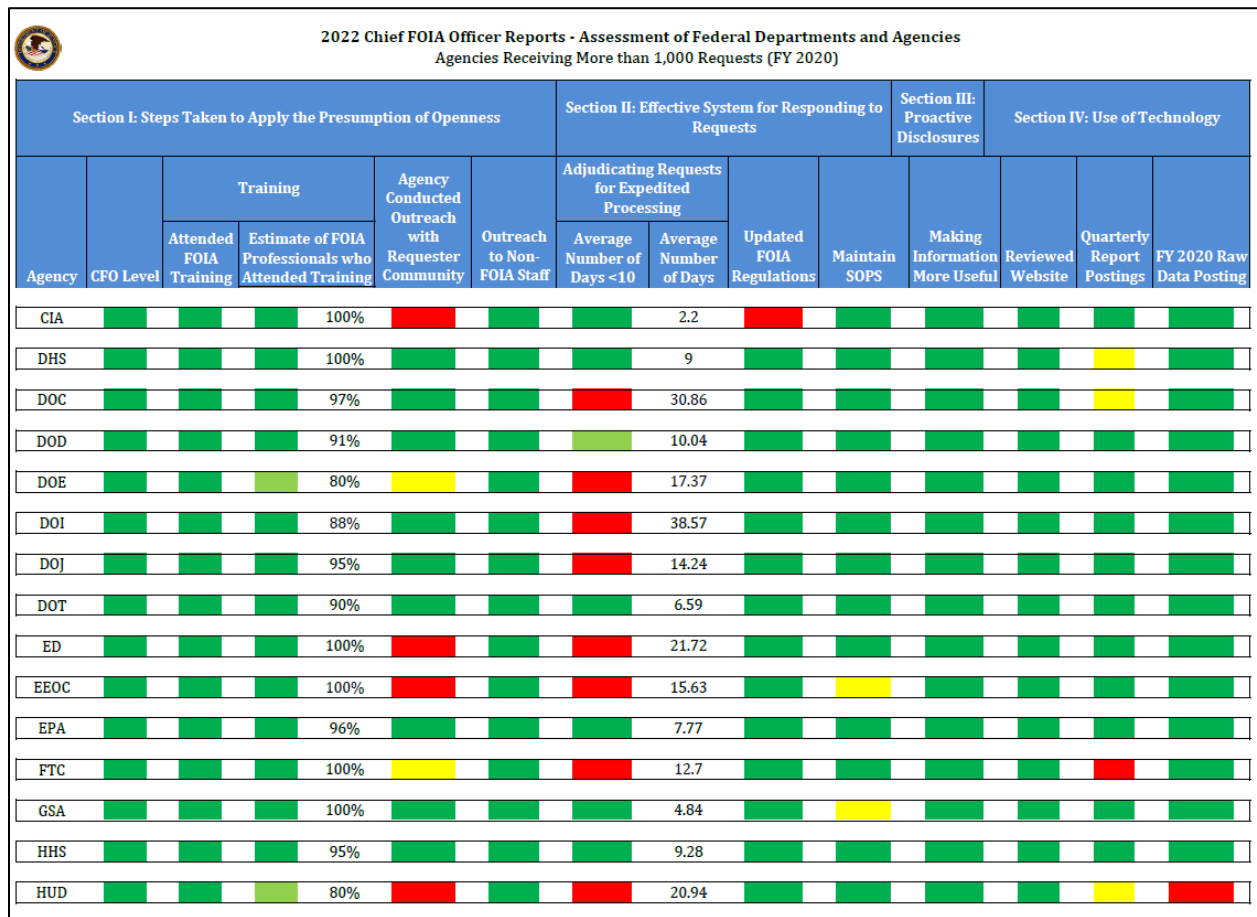


Figure 1: 2022 Chief FOIA Officer Reports - Assessment of Federal Departments and Agencies

¹ 5 U.S.C. § 552(j)(2)(D) (2018).

Summary of Agency Progress Based on 2022 Chief FOIA Officer Reports

The [2022 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 [2022 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' [2022 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.² The Department of Justice (DOJ) 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.³

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

“Experience has proven that a proper exercise of the oversight role assigned to a Chief FOIA Officer requires appropriate authority and accountability.”

-- DOJ CFO Designations Memorandum

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-four out of twenty-eight 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-one out of thirty-nine 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:

- [Environmental Protection Agency \(EPA\)](#)/Office of General Counsel (OGC) held monthly meetings with the agency's FOIA community and provided key FOIA personnel with monthly training relevant to the performance of their duties. Training topics included:

² 5 U.S.C. § 552(j)(1) (2018).

³ *Id.* at § 552(j)(2)(A).

agency FOIA processes and procedures; explanations of how to apply FOIA exemptions and the foreseeable harm standard, negotiate with requesters, and estimate fees; and guidance on other administrative processing matters, case law developments, and FOIA-related topics.

- [Department of Transportation \(DOT\)](#)/Federal Highway Administration (FHWA) held a 5-module, 11-week virtual learning plan consisting of written training material, recorded videos, and live question and answer sessions. Additionally, at each monthly FOIA meeting, the [DOT](#) FOIA Officer led training on topics such as the role of the FOIA Public Liaison, FOIA fees, and the U.S. Supreme Court decision in [U.S. Fish and Wildlife Service v. Sierra Club](#).
- [DOJ](#)/Federal Bureau of Prisons regularly updated its FOIA Training and Continuity Book, both of which are accessible to FOIA staff throughout the country. All new BOP FOIA staff members followed a detailed and individualized training program that covered substantive, procedural, and component-specific topics. BOP held virtual trainings in January and February of 2022 covering processing emails, the importance of training non-FOIA staff, redacting videos and phone transcripts, and conducting thorough searches. Additionally, once a month, BOP's Senior FOIA Processor emailed processing tips to the component's FOIA staff to improve effectiveness and consistency.
- [Equal Employment Opportunity Commission \(EEOC\)](#)/Office of Legal Counsel conducted training for all FOIA professionals on subjects such as the FOIA exemptions EEOC uses most often and the importance of ensuring that FOIA correspondence with requesters contains the required elements.
- [DOJ](#)/Tax Division's Senior Counsel, as supervisor of the Tax Division trial attorneys litigating nationwide FOIA cases, held FOIA and Coffee sessions to discuss substantive FOIA law and litigation strategies and tips. In November 2021, the Senior Counsel and a Tax Division trial attorney taught a FOIA Litigation Primer to Tax Division trial attorneys new to FOIA.

Additionally, 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, [Consumer Financial Protection Bureau \(CFPB\)](#) integrated training into daily processing by assigning a senior reviewer for every request processed to help guide the analysts through FOIA processing. [Pension Benefit Guaranty Corporation \(PBGC\)](#) conducted weekly training during the last 30-minutes of every staff meeting. Staff members voluntarily selected and conducted training on various topics. The [Federal Communications Commission \(FCC\)](#) FOIA Service Center maintains an ongoing training program to provide individual FOIA training to any staff on request. [Department of Commerce \(DOC\)](#) offered one-on-one personalized training to every new FOIA professional and provided individual FOIA overviews to new Senior Executive Service personnel and political appointees.

Finally, many agencies reported that their employees attended government-wide FOIA training provided by DOJ. In 2021, OIP continued to offer virtual courses to accommodate agencies teleworking in response to COVID-19. To maximize attendance, OIP offered shorter topical workshops more frequently throughout the year, rather than the full or multi-day trainings OIP has traditionally offered in-person. The virtual setting also expanded the capacity for agency participation with respect to the both the number and geographic location of attendees, which had been limited by physical space in the past. Between March 2021 and March 2022, over 6,700 federal employees registered to attend OIP-led virtual training sessions.

Records Management Training

New for 2022, OIP asked agencies whether personnel with FOIA responsibilities attended federal records management training during the 2021-2022 reporting period. In response, agencies highlighted a variety of training efforts. For example, [EPA's](#) record management training covered the identification of official records; importance of records management; records management responsibilities; records life-cycle, records schedules, and file plans. [FCC](#) staff with FOIA responsibilities took a records management course offered on the agency's intranet to ensure greater accessibility and widespread attendance. [DOJ](#)/Federal Bureau of Investigation's (FBI) records management training provided an overview of FBI records management, the responsibilities of FBI personnel, the laws and regulations governing federal records management, and defined various terms related to FBI records.

Outreach

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

- [Department of Health and Human Services \(HHS\)](#)/Centers for Disease Control and Prevention (CDC) held two webinars that were open to the requester community. The first webinar provided insight into how CDC was responding to COVID-19 related FOIA requests and provided tips and best practices for submitting successful FOIA requests. The second webinar provided a deep dive into the search process for electronic records and best practices for scoping requests.
- [Department of Agriculture \(USDA\)](#)/Food Safety and Inspection Service (FSIS) routinely engages with members of the public via their weekly Constituent Update subscription service. To date, more than 47,000 individuals subscribe to the service. Recently, FSIS announced in its Constituent Update that new data sets (e.g., egg product sampling data, raw ground beef sampling data, etc.) will be proactively posted.
- [DOJ](#)/Alcohol, Tobacco, Firearms and Explosives (ATF) engages directly with key stakeholder groups, such as advocacy organizations, gun industry groups, major news organizations, journalists, frequent FOIA litigants, and other organizations or individuals who frequently request information from ATF. Additionally, ATF recently hired two new attorney advisors who will focus on direct engagement with the requester community.

Efforts to Inform Non-FOIA Professionals of their FOIA Obligations

DOJ has long [emphasized](#) that "FOIA is everyone's responsibility." 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 [2022 Chief FOIA Officer Reports](#) a description of their efforts to inform non-FOIA professionals of their obligations under the FOIA. Additionally, agencies were asked whether senior leaders were briefed on agency FOIA resources, obligations, and expectations. In response, agencies reported a wide range of activities. For example:

- Many agencies, such as [Council on Environmental Quality \(CEQ\)](#), [Court Services and Offender Supervision Agency \(CSOSA\)](#), [Export-Import Bank of the United States \(EXIM\)](#), and [National Aeronautics and Space Administration \(NASA\)](#) provided an overview of FOIA responsibilities during new employee training.

- [DOC](#)/National Oceanic and Atmospheric Administration (NOAA) briefed its Chief Information Officer Council multiple times regarding FOIA obligations, budget, and program requirements for transparency.
- [DOJ](#)/Office of Community Oriented Policing Services' (COPS) trained non-FOIA personnel on the responsibility of program staff to conduct and document searches. COPS includes a record search checklist with each search request to assist staff with documenting their searches.

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

As a part of the [2022 Chief FOIA Officer Report](#), OIP asked agencies receiving more than fifty requests in FY2020 to provide information on the steps “taken to ensure that the management of [their] FOIA program is effective and efficient.” In their [2022 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 (SOP). Additionally, for 2022, OIP asked agencies whether they updated their FOIA regulations in accordance with the FOIA Improvement Act of 2016. Finally, agencies 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 2021, forty assessed agencies that received requests for expedited processing adjudicated such requests within an average of ten calendar days. For the [2022 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 2022.

FOIA Regulations

The FOIA Improvement Act of 2016 required agencies to update their FOIA regulations. Pub. L. No. 114-185, 130 Stat. 538. In September 2016, OIP issued updated [Guidance for Agency FOIA Regulations](#) and a [Template for Agency FOIA Regulations](#) to assist agencies in drafting updates to their regulations. In 2022, OIP assessed whether agencies updated their FOIA regulations in accordance with the FOIA Improvement Act of 2016. Overall, fifty-five medium and high-volume agencies have updated their regulations in accordance with the FOIA Improvement Act. Twelve agencies had not yet updated their regulations and provided plans for doing so in their CFO Reports.

Standard Operating Procedures

Having SOPs can improve the consistency and quality of an agency's FOIA process, as OIP noted in its [guidance](#) issued in light of the 2021 Chief FOIA Officer Reports. Further, SOPs can serve as a significant resource for incoming FOIA professionals and a way to preserve much of the agency's institutional knowledge on administering the FOIA. In 2022, 79% percent of assessed agencies reported maintaining SOPs. An additional 10% reported a plan to create SOPs. Many agencies reported that their SOPs are reviewed and updated to account for changes in law, best practices, and technology every year or on a regular basis.

Alternative Means of Access to First Party Requested Records

In 2022, OIP asked agencies to report whether they provided alternative means of access to first-party requested records outside of the FOIA process, and if so, to provide examples. Multiple agencies reported providing alternative means of access for first-party requests. For example:

- [USDA/Forest Service \(FS\)](#) allows unsuccessful job applicants to request hiring records directly from Human Resources Management.
- [Office of Special Counsel \(OSC\)](#) permits first-party-requesters to obtain their open investigation records. [OSC](#) provides records that were sent by the first-party requester and [OSC](#) letter correspondence.
- [The Social Security Administration \(SSA\)](#) allows first-party requesters to request information from their file at local [SSA](#) offices.
- [Department of State \(State\)](#) allows first-parties to request their medical records without submitting a FOIA request.
- [DOJ/Executive Office for Immigration Review](#) established a new policy allowing any party to a proceeding and their representative of record to obtain immigration court records of proceedings directly from the Immigration Courts or Board of Immigration Appeals, without the need for a FOIA request.

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 [2022 Chief FOIA Officer Reports](#) whether they conducted self-assessments of their FOIA programs and to describe the methods used.

The [2022 Chief FOIA Officer Reports](#) contain a wealth of information about agencies' self-assessments. Approximately, 83% 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 [National Credit Union Administration \(NCUA\)](#), [Department of Treasury \(Treasury\)](#), and [United States Agency for International Development \(USAID\)](#). [FCC](#) used the techniques in DOJ's Self-Assessment Toolkit to issue regular status reports to senior agency officials and staff with FOIA responsibilities on pending, backlogged, and expedited requests.
- [National Labor Relations Board \(NLRB\)](#) compares quarterly reports with annual reports to analyze trends and levels of productivity. Additionally, [NLRB](#) holds an annual staff meeting to discuss quarterly reports, annual reports, the Chief FOIA Officer Report, and DOJ's Chief FOIA Officer Report Summary and Assessment to highlight areas of improvement and discuss areas of focus for improvement in the next fiscal year.
- [Federal Election Commission \(FEC\)](#) conducted weekly reviews of open caseloads and reduced its backlog by more than 60% during FY 2021.
- Federal Trade Commission (FTC) generated biweekly management reports and held biweekly staff meetings to discuss backlogged and complex requests, strategize solutions,

and identify areas in need of improvement. During the reporting period, FTC revised several FOIA response templates to accord with case law and agency policy.

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-seven agencies receiving more than fifty requests, thirty-four received ten or fewer requester inquiries to their FOIA Public Liaison during the reporting period. Thirteen agencies received 11-100 inquiries, eleven agencies received 101-1,000 inquiries, and nine agencies received over 1,000 inquiries.

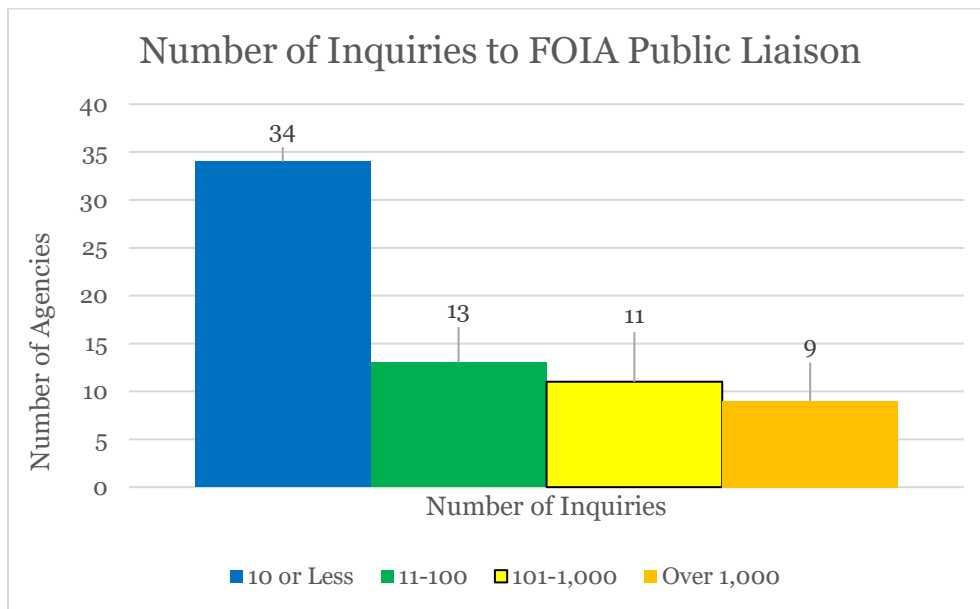


Figure 2: Number of Inquiries to FOIA Public Liaison

FOIA-Related Staffing Capabilities

New for 2022, OIP asked agencies whether they reviewed their FOIA-related staffing capabilities to identify resources needed to respond to current and anticipated FOIA demands. Agencies provided a variety of answers in response. For example:

- [EPA's](#) National FOIA Office partnered with EPA's Office of Chemical Safety and Pollution Prevention, EPA's Office of Water, and EPA's Office of the Administrator to establish a contract for FOIA document reviewers. The contract is designed to provide additional support to the offices that have the largest request backlog and to surge capacity where needed over the life of the contract.
- [National Science Foundation's \(NSF\)](#) Chief FOIA Officer engaged in discussions with the Office of the Director regarding NSF's FOIA staffing needs. The discussion resulted in a second Information Law attorney being hired in the Office of the General Counsel.

- [Office of Management and Budget \(OMB\)](#) evaluated its structure and processes during the reporting period, which resulted in changes that improve OMB's ability to respond to current and anticipated FOIA demands.
- [USDA/Office of Information Affairs \(OIA\)](#) has a blanket purchase agreement in place to provide components with varying levels of FOIA contractor support. The FOIA contractors provide a range of services to include backlog reduction initiatives, FOIA litigation support, and coordination with the processing of complex FOIAs.

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 [2022 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).

Steps to Identify, Track, and Post (a)(2) Proactive Disclosures

New for 2022, OIP asked agencies to describe the steps taken to identify, track, and post (a)(2) proactive disclosures. Agencies reported a variety of examples in response:

- Small Business Administration (SBA) works with its Office of General Counsel (OGC) and program offices to identify frequently requested records that are of importance to the public.
- [HUD](#) is working to create a standard naming convention for types and subjects of requests that will make it easier to identify whether a record has been requested and released three or more times.
- [HHS/Health Resources and Services Administration \(HRSA\)](#) uses an artificial intelligence program to identify similar requests based on the requester or the subject of the request, which also allows HRSA to efficiently identify frequently requested records.
- Several agencies such as [Federal Deposit Insurance Corporation \(FDIC\)](#), [Department of Defense \(DOD\)](#), and [NLRB](#) utilized case management systems to track and post (a)(2) proactive disclosures.

Dissemination of Common Types of Material Outside of the FOIA

In 2022, OIP asked agencies whether they disseminated common types of material outside of FOIA, including in online databases where the public may access them. Agency examples include:

- [EPA](#) OGC regularly posts [Notices of Intent to Sue EPA](#) submitted by citizens in accordance environmental statutes that contain citizen suit notice requirements.
- [National Archives and Records Administration \(NARA\)](#), through its core statutory mission, makes the vast majority of its archival records available to the public without the need to file a FOIA request. Further, due to the age of most of its records, [NARA](#) routinely makes discretionary releases in the processing of access requests to its archival holdings.
- U.S. Agency for Global Media (USAGM) post its viewership statistics on the agency website to inform the public about what the agency is accomplishing and how its funds are being used.
- [U.S. Chemical Safety and Hazard Investigation Board \(CSB\)](#) posts videos of completed investigations and public meetings on its website.

- [DOT](#)/Federal Aviation Administration (FAA) hosts an online database that allows end-users to query multiple databases on aircrafts, aviation carrier statistics, and accidents.
- [FDIC](#) maintains a BankFind feature on its website that allows users to search for information about active and inactive FDIC-insured banking institutions. Users may use search parameters to obtain financial, historical, and demographic information.

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:

- [CFPB](#) utilized a website heatmap tool to better understand how the public is interacting with the FOIA reading room and used that information to improve its posting cadence and content.
- Office of National Drug Control Policy (ONDCP) maintains the [Drug Control Data Dashboard](#) which allows members of the public to categorize data by individual substances with a potential for abuse.
- [U.S. Consumer Product Safety Commission's \(CPSC\)](#) evaluation of its website incorporated comments received from the public through social media and email. In response to the feedback, [CPSC](#) redesigned the [recall section](#) and [business education section](#) of its website.
- [DOJ](#)/Antitrust Division's publicly posted documents can be text-searched, filtered, and sorted. The Division also submits its machine-readable postings to Data.gov.
- [DOJ](#)/Community Oriented Policing Services (COPS) deployed a ChatBot, which uses artificial intelligence to provide users answers to questions or the location of information on the COPS website.
- [Office of Government Ethics \(OGE\)](#) used its Twitter account to show requesters and other members of the public how to access information on OGE's website, including how to navigate OGE's online FOIA resources and how to find ethics documents for senior government leaders that are available on OGE's website.

Collaboration with Agency Staff Outside of FOIA Offices

In 2022, OIP asked agencies whether their proactive disclosure processes or systems involved any collaboration with agency staff outside the FOIA office. Examples of collaboration include:

- [NLRB's](#) Office of Chief Information Officer collaborated with its FOIA Branch to create and deploy a tool to post records directly from FOIAOnline to the NLRB case page.
- [USPS](#) FOIA staff worked with its Service Interactive Digital staff to post change of address statistics, holiday operation information, and election mail information.
- [Department of Labor \(DOL\)](#) collaborates with the Office of Public Affairs, the Office of the Assistant Secretary for Administration and Management, and the Office of the Chief Information Officer when making proactive disclosures.
- [Department of Homeland Security \(DHS\)](#)/Transportation Security Administration (TSA) collaborated with the Strategic Communications and Public Affairs office to post records to

the TSA FOIA Reading Room. Additionally, TSA also worked with the Customer Service Branch to post monthly complaint data.

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. OIP refines the questions in this section as the use of technology evolves. For 2022, 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](#).

FOIA-Related Technological Capabilities

New for 2022, OIP asked agencies to identify whether they had reviewed FOIA-related technological capabilities to identify resources needed to respond to current and anticipated FOIA demands. Overall, 65 out of 67 agencies responded they had reviewed their FOIA-related technological capabilities.

Use of New Technology

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 2022, many agencies reported utilizing new and advanced types of technology to improve efficiency in FOIA processing.

- [GSA](#) is developing a Robotic Processing Automation (RPA) system to improve FOIA management and processing. [GSA](#) intends for the RPA system to include a management dashboard that tracks routine and repeatable portions of the FOIA process.
- [Merit Systems Protection Board \(MSPB\)](#) began using secure file sharing technology to assist in releasing records to requestors more quickly and efficiently, which has reduced the need to release records in compact disc or paper formats.
- [DOJ](#)/Bureau of Prisons (BOP) participated in a pilot program to use artificial intelligence software to help review and redact videos and transcripts of phone calls.
- [USDA](#)/Farm Production and Conservation (FPAC) purchased an agency content management and file sharing platform to assist with the secure delivery of voluminous record sets to requesters.
- [SSA](#) worked with its Information Technology staff to improve the quality of keyword searches in response to requests for emails.
- [DOC](#)/International Trade Administration (ITA) developed sophisticated data visualizations, dashboards, and analytical reporting to improve its overall FOIA program operations.

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 [2022 Chief FOIA Officer Reports](#), sixty-sixty of sixty-seven agencies receiving more than fifty requests reported that they reviewed their websites for compliance with OIP Guidance.

Posting Quarterly FOIA Reports

In FY 2021, 70% of agencies receiving more than fifty requests reported posting their Quarterly FOIA Reports successfully with corresponding data appearing on FOIA.gov. An additional

19% of agencies were able to post some or all of their quarterly reports successfully. Any agency that was unable to successfully provide all quarterly report data for display on FOIA.gov was required to provide a plan for ensuring that such reporting is successful in FY 2022. During this reporting period, OIP updated its [Guidance for Quarterly FOIA Reporting](#) to reflect that agencies now enter their quarterly data directly into FOIA.gov. 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 2020 in their [2022 Chief FOIA Officer Reports](#). For this reporting period, 90% of agencies receiving more than fifty requests successfully posted the raw data used to compile their FY 2020 Annual FOIA Report. Several agencies have also already posted the raw data for their FY 2021 reports.

Best Practices and Challenges with Technology

Some agencies described best practices in the area of technology. For example, [Treasury](#) initiated a monthly User Community Engagement meeting which serves as a venue for FOIA professionals and software administrators to discuss experiences and share information related to the use of [Treasury's](#) new FOIA tracking system. [USPS'](#) Privacy and Records Management Office works with an IT portfolio manager to identify technology tools that it may need to use for efficient FOIA processing. [Federal Reserve Board of Governors \(FRB\)](#) utilizes an electronic recordkeeping system that currently maintains over 5 million documents and increases in volume by about 750,000 documents each year.

In addition to best practices, agencies also provided examples of challenges they face related to technology. [SSA](#) reported their search for a new FOIA case management solution as a challenge. [FCC](#) reported the lack of a centralized search capability as a challenge. [Department of Interior \(DOI\)](#) noted that a technology available for use for one bureau may not be available or supported in another. Finally, agencies such as [CEO](#), [Commodity Futures Trading Commission \(CFTC\)](#) and [DOC](#) reported limited staffing and resources as challenges.

Section V: Improving Timeliness and Reducing Backlogs

For the [2022 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 2022.

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 more quickly, 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 [2022 Chief FOIA Officer Reports](#). Twenty-nine 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, thirty-one medium and high-volume agencies reported that they either reduced the number of requests in their backlog at the end of FY 2021 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. Twenty-seven 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.

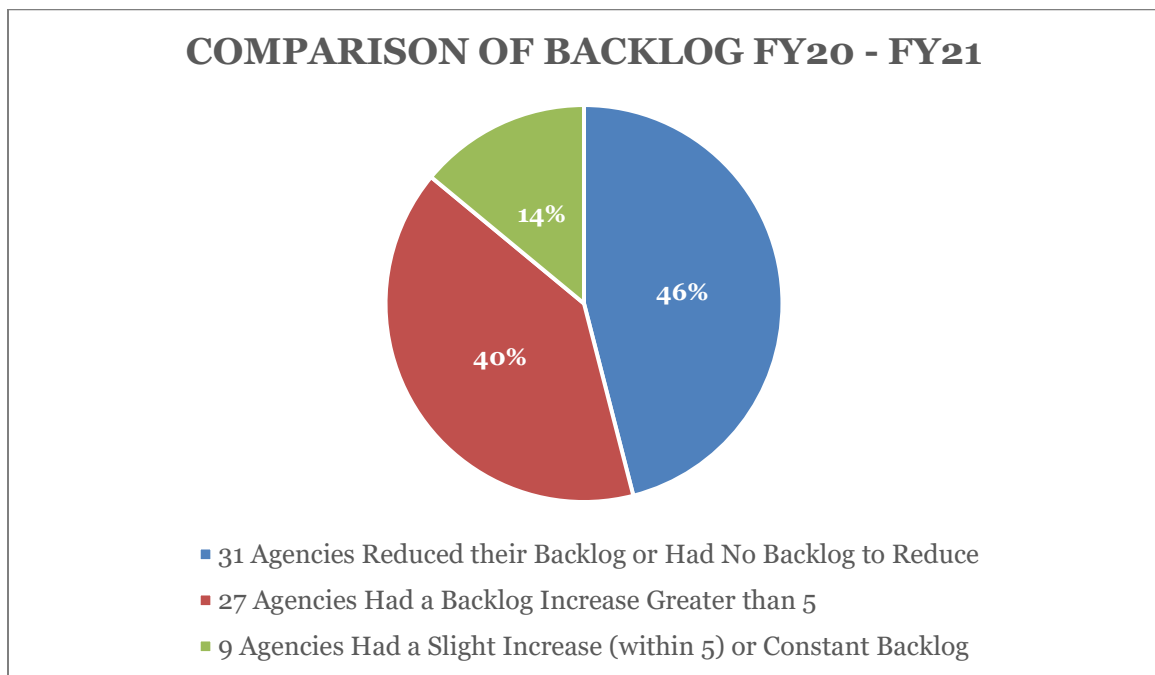


Figure 3: Backlog Comparison, FY 2020 to FY 2021

For administrative FOIA appeals, forty-five medium and high-volume agencies reported that they either reduced the number of appeals in their backlog at the end of FY 2021 or they had no backlog to reduce. Eleven agencies reported that the backlog was the same as the previous fiscal year or an increase of up to five backlogged appeals. Eleven agencies reported an appeal backlog increase of over five appeals. Further, of the twenty-two agencies that reported an increase or constant appeals backlog, six 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 [2022 Chief FOIA Officer Reports](#). The most frequently cited factors were the loss of staff and the increase in the number of requests. Twenty-four agencies reported the loss of staff as contributing to their request backlog. Twenty-three agencies identified the increased number of requests as contributing to their request backlog. Additionally, twenty-one agencies reported an increase in the complexity of requests as contributing to the backlog. Finally, twenty agencies reported COVID-19 and workplace safety precautions as contributing to the backlog. With respect to appeals, thirteen agencies reported the COVID-19 pandemic as contributing to the appeals backlog. Eleven agencies identified the

complexity of appeals as contributing to the backlog. Ten agencies identified the increased number of appeals received as contributing to their appeals backlog. Finally, eight agencies identified a loss of staff as contributing to their appeals 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-five medium and high-volume agencies reported that they either closed all ten of their oldest requests from FY 2020 by the end of FY 2021, or they had no ten oldest to close.

With regard to appeals, forty-two medium and high-volume agencies either closed their ten oldest pending appeals or they had no ten oldest to close. Finally, fifty-four 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 2022 Summary and Assessment demonstrates that even in the face of a high demand of requests and challenges such as the COVID-19 pandemic, agencies continued 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 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 2022 Chief FOIA Officer Report Review and Assessment

Proactive Disclosures – Timing and Format of Disclosures

Proactive disclosure of information is, as the Attorney General’s new [FOIA Guidelines](#) stress, “fundamental to the faithful application of FOIA.” The Department has long emphasized the importance of proactive disclosures, and OIP’s proactive disclosure [guidance](#) and [implementation checklist](#) identify key elements for agencies to consider when making disclosures. In their [2022 Chief FOIA Officer Reports](#), agencies provided many examples of proactive disclosures made during the reporting period that include and go beyond the FOIA’s requirements.

Although the FOIA itself does not mandate timeframes for posting records proactively, the FOIA Guidelines directs agencies to “post records online as soon as feasible” and to “continue to maximize their efforts to post . . . quickly and systematically in advance of any public request.” Accordingly, agencies should post those records that fall within FOIA’s proactive disclosure provisions as soon as feasible and without delay. As agencies balance the demands of responding to individual FOIA requests with the FOIA’s proactive disclosure requirements, they should consider ways to systematically disclose information in a manner that best serves the public with their available resources. For example, some agencies incorporate into their request processing workflow a step to consider whether requested information should be proactively disclosed. Additionally, many agencies have forged relationships with their IT and website staff to facilitate efficient posting. Agencies may also consider establishing regular schedules for posting information to the extent that doing so is more efficient than posting on an ad hoc basis.

In addition to posting records quickly and systematically, the FOIA Guidelines explain that “records should be presented in the most useful, searchable, and open formats possible.” Many agencies reported how they are making information most useful to the public, for example, by making records available in searchable databases, posting data in open formats, and optimizing their websites to improve the user experience in locating relevant information. FOIA professionals should consult with their data, IT, and program office colleagues to ensure that disclosures are made in line with relevant open data and digital services policies and best practices, and so the agency’s community of users is best served.

Alternative Means of Access for Commonly Requested Records

The Attorney General’s FOIA Guidelines also focus on removing barriers to access in part by “encourage[ing] all agencies to examine whether they have records that they could make more readily accessible without requiring individuals to file FOIA requests.” This is particularly relevant to agencies that handle many similar requests from requesters seeking information about themselves. Agencies may consider providing access to such records through online databases or other processes outside of FOIA. While multiple agencies reported providing alternative access to certain types of records, agencies should continue to review whether establishing alternative means of access would provide individuals faster access to information about themselves and allow the agency’s FOIA staff to process other types of FOIA requests more efficiently.

Quarterly Report Reminders

Agencies are also reminded of the requirement to complete [Quarterly FOIA Reports](#) covering key statistics throughout the fiscal year. In 2021, OIP issued [Updated Guidance for Quarterly FOIA Reporting](#) that changed how agencies provide their quarterly data. As of Quarter 4 of Fiscal Year 2021, agencies must enter their quarterly data directly into FOIA.gov. The content and timing of the reports remain the same. In addition to providing public insight to agencies’ FOIA

administration, agencies themselves are encouraged to use their quarterly data to gauge their progress throughout the year. Historical quarterly data will be available on FOIA.gov moving forward, which can further facilitate agencies' self-assessment and planning.

2022 Assessment of Agency Progress in FOIA Administration

For the 2022 assessment, OIP selected twenty-three milestones for scoring high volume agencies and twenty-one 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-eight high volume agencies and thirty-nine medium-volume agencies that were subject to the FOIA during FY 2021. 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 2021 to March 2022, which is the period covered by the [2022 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 2021. The data for these metrics was compiled from agency Annual FOIA Reports, which are available on both [FOIA.gov](#) and OIP's [Reports](#) page.

2022 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"> • Dark Green: Yes • Red: No <p>2. Please provide the name and title of your agency's Chief FOIA Officer. (Not Graded)</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"> • Dark Green: Yes • Red: No <p>2. Please provide the name and title of your agency's Chief FOIA Officer. (Not Graded)</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. (Not Graded)</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"> • Dark Green: Attended training/FOIA conference (one or multiple) or held a staff meeting that included some FOIA training • Yellow: Is planning to attend or hold training after reporting period • Red: Did not hold or attend training 	<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. (Not Graded)</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"> • Dark Green: Attended training/FOIA conference (one or multiple) or held a staff meeting that included some FOIA training • Yellow: Is planning to attend or hold training after reporting period • Red: Did not hold or attend training

<p>5. If yes, please provide a brief description of the type of training attended or conducted and the topics covered. (Not Graded)</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"> • Dark Green: 100% to 81% • Light Green: 80% to 61% • Yellow: 60% to 41% • Orange: 40% to 21% • Red: 20% and below <p>7. OIP has directed agencies to “take steps to ensure that all of their FOIA professionals attend substantive FOIA training at least once throughout the year.” If your response to the previous question is that less than 80% of your FOIA professionals attended training, please explain your agency’s plan to ensure that all FOIA professionals receive or attend substantive FOIA training during the next reporting year. (Not Graded)</p> <p>8. Did the personnel at your agency who have FOIA responsibilities attend training in federal records management during this reporting period? (Not Graded)</p>	<p>5. If yes, please provide a brief description of the type of training attended or conducted and the topics covered. (Not Graded)</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. (Not Graded)</p> <p>7. OIP has directed agencies to “take steps to ensure that all of their FOIA professionals attend substantive FOIA training at least once throughout the year.” If your response to the previous question is that less than 80% of your FOIA professionals attended training, please explain your agency’s plan to ensure that all FOIA professionals receive or attend substantive FOIA training during the next reporting year. (Not Graded)</p> <p>8. Did the personnel at your agency who have FOIA responsibilities attend training in federal records management during this reporting period? (Not Graded)</p>
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C. Outreach

Agencies Receiving More Than 1000 Requests	Agencies Receiving 50-1000 Requests
<p>9. Did your FOIA professionals engage in any outreach or dialogue, outside of the standard request process, with the requester community or open government groups regarding your administration of the FOIA? Please describe any such outreach or dialogue, and, if applicable, any specific examples of how this dialogue has led to improvements in your</p>	<p>9. Did your FOIA professionals engage in any outreach or dialogue, outside of the standard request process, with the requester community or open government groups regarding your administration of the FOIA? Please describe any such outreach or dialogue, and, if applicable, any specific examples of how this dialogue has led to</p>

<p>agency's FOIA administration.</p> <ul style="list-style-type: none"> • Dark Green: Agency conducted outreach • Yellow: Agency conducted outreach with requesters during request/appeal process • Red: Agency did not conduct any outreach 	<p>improvements in your agency's FOIA administration. (Not Graded)</p>
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D. Other Initiatives

<p>Agencies Receiving More Than 1000 Requests</p>	<p>Agencies Receiving 50-1000 Requests</p>
<p>10. Describe any efforts your agency has undertaken to inform non-FOIA professionals of their obligations under the FOIA. In particular, please describe</p> <ul style="list-style-type: none"> • how often and in what formats your agency provides FOIA training or briefings to non-FOIA staff; and • if senior leaders at your agency received a briefing on your agency's FOIA resources, obligations and expectations during the FOIA process? <ul style="list-style-type: none"> • Dark Green: Yes • Yellow: Planned • Red: No <p>11. Optional -- If there are any other initiatives undertaken by your agency to ensure that the presumption of openness is being applied, please describe them here. (Not Graded)</p>	<p>10. Describe any efforts your agency has undertaken to inform non-FOIA professionals of their obligations under the FOIA. In particular, please describe:</p> <ul style="list-style-type: none"> • how often and in what formats your agency provides FOIA training or briefings to non-FOIA staff; and • if senior leaders at your agency received a briefing on your agency's FOIA resources, obligations and expectations during the FOIA process? <ul style="list-style-type: none"> • Dark Green: Yes • Yellow: Planned • Red: No <p>11. Optional -- If there are any other initiatives undertaken by your agency to ensure that the presumption of openness is being applied, please describe them here. (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 2021, what was the average number of days your agency reported for adjudicating requests for expedited processing? Please see Section VIII.A. of your agency's Fiscal Year 2021 Annual FOIA Report.</p> <ul style="list-style-type: none"> • Dark Green: Less than 10 days • Light Green: Between 10.1 and 10.5 days • Yellow: Between 10.6 and 11.0 days • Orange: Between 11.1 and 12 days • Red: Over 12 days • N/A: Did not adjudicate such a request during FY <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 2021 Annual FOIA Report, please describe the steps your agency will take to ensure that requests for expedited processing are adjudicated within ten calendar days or less.</p> <p>3. The FOIA Improvement Act of 2016 required all agencies to update their FOIA regulations within 180 days. In 2016, OIP issued Guidance for Agency FOIA Regulations and the accompanying Template for Agency FOIA Regulations to assist agencies in updating their regulations in accordance with the statute. Has your agency updated its FOIA regulations in accordance with the FOIA Improvement Act of 2016? If not, what is your agency's plan to update your regulations?</p> <ul style="list-style-type: none"> • Dark Green: Yes • Red: No <p>4. Standard Operating Procedures (SOPs) generally document your agency's internal processes for administering the FOIA beyond</p>	<p>1. For Fiscal Year 2021, what was the average number of days your agency reported for adjudicating requests for expedited processing? Please see Section VIII.A. of your agency's Fiscal Year 2021 Annual FOIA Report.</p> <ul style="list-style-type: none"> • Dark Green: Less than 10 days • Light Green: Between 10.1 and 10.5 days • Yellow: Between 10.6 and 11.0 days • Orange: Between 11 and 12 days • Red: Over 12 days • N/A: Did not adjudicate such a request during FY <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 2021 Annual FOIA Report, please describe the steps your agency will take to ensure that requests for expedited processing are adjudicated within ten calendar days or less.</p> <p>3. The FOIA Improvement Act of 2016 required all agencies to update their FOIA regulations within 180 days. In 2016, OIP issued Guidance for Agency FOIA Regulations and the accompanying Template for Agency FOIA Regulations to assist agencies in updating their regulations in accordance with the statute. Has your agency updated its FOIA regulations in accordance with the FOIA Improvement Act of 2016? If not, what is your agency's plan to update your regulations?</p> <ul style="list-style-type: none"> • Dark Green: Yes • Red: No <p>4. Standard Operating Procedures (SOPs) generally document your agency's internal processes for administering the FOIA beyond</p>

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

- **Dark Green:** Yes
- **Yellow:** Currently developing SOPs
- **Red:** No

5. If not, please provide a timeline for when your agency plans to develop SOPs. **(Not Graded)**

6. Has your agency established alternative means of access to first-party requested records outside of the FOIA process? **(Not Graded)**

7. If yes, please provide examples. If no, please indicate why not. Please also indicate if you do not know. **(Not Graded)**

8. Please describe the self-assessment methods used to review your agency's FOIA administration, such as analyzing Annual Report or raw data, using active workflows and track management, reviewing and updating processing procedures, etc. In addition, please specifically highlight any data analysis methods or technologies used to assess your agency's FOIA program. **(Not Graded)**

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

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

- **Dark Green:** Yes
- **Yellow:** Currently developing SOPs
- **Red:** No

5. If not, please provide a timeline for when your agency plans to develop SOPs. **(Not Graded)**

6. Has your agency established alternative means of access to first-party requested records outside of the FOIA process? **(Not Graded)**

7. If yes, please provide examples. If no, please indicate why not. Please also indicate if you do not know. **(Not Graded)**

8. Please describe the self-assessment methods used to review your agency's FOIA administration, such as analyzing Annual Report or raw data, using active workflows and track management, reviewing and updating processing procedures, etc. In addition, please specifically highlight any data analysis methods or technologies used to assess your agency's FOIA program. **(Not Graded)**

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

<p>Public Liaison during Fiscal Year 2021 (please provide a total number or an estimate of the number). (Not Graded)</p> <p>10. Has your agency reviewed its FOIA-related staffing capabilities to identify resources needed to respond to current and anticipated FOIA demands? (Not Graded)</p> <p>11. 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. (Not Graded)</p>	<p>Public Liaison during Fiscal Year 2021 (please provide a total number or an estimate of the number). (Not Graded)</p> <p>10. Has your agency reviewed its FOIA-related staffing capabilities to identify resources needed to respond to current and anticipated FOIA demands? (Not Graded)</p> <p>11. 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. (Not Graded)</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. Please describe what steps your agency takes to identify, track, and post (a)(2) proactive disclosures. (Not Graded)</p> <p>2. Provide examples of any material that your agency has proactively disclosed during the past reporting year, including records that have been requested and released three or more times in accordance with 5 U.S.C. § 552(a)(2)(D). Please include links to these materials as well. (Not Graded)</p> <p>3. Does your agency disseminate common types of material outside of FOIA, including in online databases where the public may access them? If yes, please provide examples and, if applicable, statutory authority. (Not Graded)</p> <p>4. Beyond posting new material, is your agency taking steps to make the posted information more useful to the public, especially to the community of individuals who regularly access your agency’s website?</p> <ul style="list-style-type: none"> • Dark Green: Agency answered yes <ul style="list-style-type: none"> ○ Alternatively: Agency answered that it is already 	<p>1. Please describe what steps your agency takes to identify, track, and post (a)(2) proactive disclosures. (Not Graded)</p> <p>2. Provide examples of any material that your agency has proactively disclosed during the past reporting year, including records that have been requested and released three or more times in accordance with 5 U.S.C. § 552(a)(2)(D). Please include links to these materials as well. (Not Graded)</p> <p>3. Does your agency disseminate common types of material outside of FOIA, including in online databases where the public may access them? If yes, please provide examples and, if applicable, statutory authority. (Not Graded)</p> <p>4. Beyond posting new material, is your agency taking steps to make the posted information more useful to the public, especially to the community of individuals who regularly access your agency’s website?</p> <ul style="list-style-type: none"> • Dark Green: Agency answered yes <ul style="list-style-type: none"> ○ Alternatively: Agency answered that it is already

<p>making information available in its most useful format</p> <ul style="list-style-type: none"> • Yellow: Agency is looking into how they would do so <ul style="list-style-type: none"> ○ Alternatively: If agency noted that they do not operate their website in house • Red: Agency answered no <p>5. If yes, please provide examples of such improvements. In particular, please describe steps your agency is taking to post information in open, machine-readable, and machine-actionable formats, to the extent feasible. If not posting in open formats, please explain why and note any challenges. (Not Graded)</p> <p>6. Does your proactive disclosure process or system involve any collaboration with agency staff outside the FOIA office? If so, describe this interaction. (Not Graded)</p> <p>7. Optional -- Please describe the best practices used to improve proactive disclosures and any challenges your agency faces in this area. (Not Graded)</p>	<p>making information available in its most useful format</p> <ul style="list-style-type: none"> • Yellow: Agency is looking into how they would do so <ul style="list-style-type: none"> ○ Alternatively: If agency noted that they do not operate their website in house • Red: Agency answered no <p>5. If yes, please provide examples of such improvements. In particular, please describe steps your agency is taking to post information in open, machine-readable, and machine-actionable formats, to the extent feasible. If not posting in open formats, please explain why and note any challenges. (Not Graded)</p> <p>6. Does your proactive disclosure process or system involve any collaboration with agency staff outside the FOIA office? If so, describe this interaction. (Not Graded)</p> <p>7. Optional -- Please describe the best practices used to improve proactive disclosures and any challenges your agency faces in this area. (Not Graded)</p>
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Section IV: Steps Taken to Greater Utilize Technology

Agencies Receiving More Than 1000 Requests	Agencies Receiving 50-1000 Requests
<p>1. Has your agency reviewed its FOIA-related technological capabilities to identify resources needed to respond to current and anticipated FOIA demands? (Not Graded)</p> <p>2. Please briefly describe any new types of technology your agency uses to support your FOIA program. (Not Graded)</p> <p>3. OIP issued guidance in 2017 encouraging agencies to regularly review their FOIA websites to ensure that they contain essential resources and are informative and user-friendly. Has your agency reviewed its FOIA website(s) during the reporting period to</p>	<p>1. Has your agency reviewed its FOIA-related technological capabilities to identify resources needed to respond to current and anticipated FOIA demands? (Not Graded)</p> <p>2. Please briefly describe any new types of technology your agency uses to support your FOIA program. (Not Graded)</p> <p>3. OIP issued guidance in 2017 encouraging agencies to regularly review their FOIA websites to ensure that they contain essential resources and are informative and user-friendly. Has your agency reviewed its FOIA website(s) during the reporting period to</p>

ensure it addresses the elements noted in the guidance?

- **Dark Green:** Agency reviewed
- **Yellow:** Planning to review
- **Red:** Did not review

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

- **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 FY21

5. If your agency did not successfully post all quarterly reports, with information appearing on FOIA.gov, please explain why and provide your agency's plan for ensuring that such reporting is successful in Fiscal Year 2022. **(Not Graded)**

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

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

ensure it addresses the elements noted in the guidance?

- **Dark Green:** Agency reviewed
- **Yellow:** Planning to review
- **Red:** Did not review

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

- **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 FY21.

5. If your agency did not successfully post all quarterly reports, with information appearing on FOIA.gov, please explain why and provide your agency's plan for ensuring that such reporting is successful in Fiscal Year 2022. **(Not Graded)**

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

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

7. Optional -- Please describe the best practices used in greater utilizing technology and any challenges your agency faces in this area. (Not Graded)	7. Optional -- Please describe the best practices used in greater utilizing technology and any challenges your agency faces in this area. (Not Graded)
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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? (Not Graded)</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 2021?</p> <ul style="list-style-type: none"> • Dark Green: Average time is 20 days or below (with or without) • Light Green: 20.01 and 22 (with or without) • Yellow: Average time is between 22.01 and 23 days (with simple track); time is above 22.01 days (without simple track) • Orange: 23.01 and 25 (with simple) • Red: Average time is above 25.01 days (with simple track) <p>3. Please provide the percentage of requests processed by your agency in Fiscal Year 2021 that were placed in your simple track. Please use the following calculation based on the data from your Annual FOIA Report: (processed simple requests from Section VII.C.1) divided by (requests processed from Section V.A.) x 100. (Not Graded)</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? (Graded if no simple track grade articulated above in</p>	<p>1. Does your agency utilize a separate track for simple requests? (Not Graded)</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 2021?</p> <ul style="list-style-type: none"> • Dark Green: Average time is 20 days or below (with or without) • Light Green: 20.01 and 22 (with or without) • Yellow: Average time is between 22.01 and 23 days (with simple track); time is above 22.01 days (without simple track) • Orange: 23.01 and 25 (with simple) • Red: Average time is above 25.01 days (with simple track) <p>3. Please provide the percentage of requests processed by your agency in Fiscal Year 2021 that were placed in your simple track. Please use the following calculation based on the data from your Annual FOIA Report: (processed simple requests from Section VII.C.1) divided by (requests processed from Section V.A.) x 100. (Not Graded)</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? (Graded if</p>

<p>question 2.)</p> <ul style="list-style-type: none"> • Dark Green: Average time is 20 days or below days • Light Green: 20.01 and 22 (with or without) • Yellow: Average time is above 22.01 	<p>no simple track grade articulated above in question 2.)</p> <ul style="list-style-type: none"> • Dark Green: Average time is 20 days or below days • Light Green: 20.01 and 22 (with or without) • Yellow: Average time is above 22.01
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B. Backlogs

Agencies Receiving More Than 1000 Requests	Agencies Receiving 50-1000 Requests
<p>BACKLOGGED REQUESTS</p> <p>5. If your agency had a backlog of requests at the close of Fiscal Year 2021, according to Annual FOIA Report Section XII.D.2, did that backlog decrease as compared with the backlog reported at the end of Fiscal Year 2020?</p> <ul style="list-style-type: none"> • 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 requests • Red: Agency backlog increased more than 5 requests <p>6. If not, according to Annual FOIA Report Section XII.D.1, did your agency process more requests during Fiscal Year 2021 than it did during Fiscal Year 2020?</p> <ul style="list-style-type: none"> • Dark Green: Agency processed more in FY21 than in FY20 • Yellow: Agency processed the same amount in FY21 as in FY20 • Red: Agency processed less in FY21 than in FY20 <p>7. If your agency's request backlog increased during Fiscal Year 2021, please explain why and describe the causes that contributed to your agency not being able to reduce its backlog. When doing so, please also indicate</p>	<p>BACKLOGGED REQUESTS</p> <p>5. If your agency had a backlog of requests at the close of Fiscal Year 2021, according to Annual FOIA Report Section XII.D.2, did that backlog decrease as compared with the backlog reported at the end of Fiscal Year 2020?</p> <ul style="list-style-type: none"> • 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 requests • Red: Agency backlog increased more than 5 requests <p>6. If not, according to Annual FOIA Report Section XII.D.1, did your agency process more requests during Fiscal Year 2021 than it did during Fiscal Year 2020?</p> <ul style="list-style-type: none"> • Dark Green: Agency processed more in FY21 than in FY20 • Yellow: Agency processed the same amount in FY21 as in FY20 • Red: Agency processed less in FY21 than in FY20 <p>7. If your agency's request backlog increased during Fiscal Year 2021, please explain why and describe the causes that contributed to your agency not being able to reduce its backlog. When doing so, please also indicate</p>

if any of the following were contributing factors:

- An increase in the number of incoming requests
- A loss of staff
- An increase in the complexity of the requests received (if possible, please provide examples or briefly describe the types of complex requests contributing to your backlog increase)
- Impact of COVID-19 and workplace and safety precautions
- 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 2021. Please use the following calculation based on data from your Annual FOIA Report: (backlogged requests from Section XII.A) divided by (requests received from Section V.A) x 100. This number can be greater than 100%. If your agency has no request backlog, please answer with “N/A.”

- **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 2021, according to Section XII.E.2 of the Annual FOIA Report, did that backlog decrease as compared with the backlog reported at the end of Fiscal Year 2020?

- **Dark Green:** Agency backlog decreased (or backlog was constant at 0)

if any of the following were contributing factors:

- An increase in the number of incoming requests
- A loss of staff
- An increase in the complexity of the requests received (if possible, please provide examples or briefly describe the types of complex requests contributing to your backlog increase)
- Impact of COVID-19 and workplace and safety precautions
- 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 2021. Please use the following calculation based on data from your Annual FOIA Report: (backlogged requests from Section XII.A) divided by (requests received from Section V.A) x 100. This number can be greater than 100%. If your agency has no request backlog, please answer with “N/A.”

- **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 2021, according to Section XII.E.2 of the Annual FOIA Report, did that backlog decrease as compared with the backlog reported at the end of Fiscal Year 2020?

- **Dark Green:** Agency backlog decreased (or backlog was constant at 0)

<ul style="list-style-type: none"> • Yellow: Agency backlog was same as previous FY (not 0) or increased within 5 appeals • Red: Agency backlog increased more than 5 appeals <p>10. If not, according to section XII.E.1 of the Annual FOIA Report, did your agency process more appeals during Fiscal Year 2021 than it did during Fiscal Year 2020?</p> <ul style="list-style-type: none"> • Dark Green: Agency processed more in FY21 than in FY20 • Yellow: Agency processed the same amount in FY21 than in FY20 • Red: Agency processed less in FY21 than in FY20 <p>11. If your agency's appeal backlog increased during Fiscal Year 2021, please explain why and describe the causes that contributed to your agency not being able to reduce its backlog. When doing so, please also indicate if any of the following were contributing factors:</p> <ul style="list-style-type: none"> • 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) • Impact of COVID-19 and workplace and safety precautions • Any other reasons – please briefly describe or provide examples when possible <p>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 2021. Please use the following calculation based on data from your Annual FOIA Report: (backlogged appeals from Section XII.A) divided by (appeals received from Section</p>	<ul style="list-style-type: none"> • Yellow: Agency backlog was same as previous FY (not 0) or increased within 5 appeals • Red: Agency backlog increased more than 5 appeals <p>10. If not, according to section XII.E.1 of the Annual FOIA Report, did your agency process more appeals during Fiscal Year 2021 than it did during Fiscal Year 2020?</p> <ul style="list-style-type: none"> • Dark Green: Agency processed more in FY21 than in FY20 • Yellow: Agency processed the same amount in FY21 than in FY20 • Red: Agency processed less in FY21 than in FY20 <p>11. If your agency's appeal backlog increased during Fiscal Year 2021, please explain why and describe the causes that contributed to your agency not being able to reduce its backlog. When doing so, please also indicate if any of the following were contributing factors:</p> <ul style="list-style-type: none"> • 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) • Impact of COVID-19 and workplace and safety precautions • Any other reasons – please briefly describe or provide examples when possible <p>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 2021. Please use the following calculation based on data from your Annual FOIA Report: (backlogged appeals from Section XII.A) divided by (appeals received from Section</p>
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<p>VI.A) x 100. This number can be greater than 100%. If your agency did not receive any appeals in Fiscal Year 2021 and/or has no appeal backlog, please answer with "N/A."</p> <ul style="list-style-type: none"> • Dark Green: 0% to 10% • Light Green: 11% to 20% • Yellow: 21% to 30% • Orange: 31% to 40% • Red: 41% and above 	<p>VI.A) x 100. This number can be greater than 100%. If your agency did not receive any appeals in Fiscal Year 2021 and/or has no appeal backlog, please answer with "N/A."</p> <ul style="list-style-type: none"> • Dark Green: 0% to 10% • Light Green: 11% to 20% • Yellow: 21% to 30% • Orange: 31% to 40% • Red: 41% and above
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C. Backlog Reduction Plans

Agencies Receiving More Than 1000 Requests	Agencies Receiving 50-1000 Requests
<p>13. In the 2021 guidelines for Chief FOIA Officer Reports, any agency with a backlog of over 1000 requests in Fiscal Year 2020 was asked to provide a plan for achieving backlog reduction in the year ahead. Did your agency implement a backlog reduction plan last year? If so, describe your agency's efforts in implementing this plan and note if your agency was able to achieve backlog reduction in Fiscal Year 2021? (Not Graded)</p> <p>14. If your agency had a backlog of more than 1,000 requests in Fiscal Year 2021, please explain your agency's plan to reduce this backlog during Fiscal Year 2022. (Not Graded)</p>	<p>13. In the 2021 guidelines for Chief FOIA Officer Reports, any agency with a backlog of over 1000 requests in Fiscal Year 2020 was asked to provide a plan for achieving backlog reduction in the year ahead. Did your agency implement a backlog reduction plan last year? If so, describe your agency's efforts in implementing this plan and note if your agency was able to achieve backlog reduction in Fiscal Year 2021? (Not Graded)</p> <p>14. If your agency had a backlog of more than 1,000 requests in Fiscal Year 2021, please explain your agency's plan to reduce this backlog during Fiscal Year 2022 (Not Graded)</p>

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

Agencies Receiving More Than 1000 Requests	Agencies Receiving 50-1000 Requests
<p>TEN OLDEST REQUESTS</p> <p>15. In Fiscal Year 2021, did your agency close the ten oldest pending perfected requests that were reported in Section VII.E. of your Fiscal Year 2020 Annual FOIA Report?</p> <ul style="list-style-type: none"> • Dark Green: Agency answered yes (or no ten oldest to close) 	<p>TEN OLDEST REQUESTS</p> <p>15. In Fiscal Year 2021, did your agency close the ten oldest pending perfected requests that were reported pending in Section VII.E. of your Fiscal Year 2020 Annual FOIA Report?</p> <ul style="list-style-type: none"> • Dark Green: Agency answered yes (or no ten oldest to close)

- **Red:** Agency answered no

16. If no, please provide the number of these requests your agency was able to close by the end of the fiscal year, as listed in Section VII.E of your Fiscal Year 2020 Annual FOIA Report. If you had less than ten total oldest requests to close, please indicate that. **(Not Graded)**

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

TEN OLDEST APPEALS

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

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

- **Red:** Agency answered no

16. If no, please provide the number of these requests your agency was able to close by the end of the fiscal year, as listed in Section VII.E of your Fiscal Year 2020 Annual FOIA Report. If you had less than ten total oldest requests to close, please indicate that. **(Not Graded)**

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

TEN OLDEST APPEALS

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

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

<p>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 2020 Annual FOIA Report. If you had less than ten total oldest consultations to close, please indicate that. (Not Graded)</p>	<p>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 2020 Annual FOIA Report. If you had less than ten total oldest consultations to close, please indicate that. (Not Graded)</p>
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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 2020. (Not Graded)</p>	<p>23. Briefly explain any obstacles your agency faced in closing its ten oldest requests, appeals, and consultations from Fiscal Year 2020. (Not Graded)</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. (Not Graded)</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. (Not Graded)</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 2022. (Not Graded)</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 2022. (Not Graded)</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 2021 to increase transparency and improve FOIA administration, please briefly describe here at least one success story that you would like to highlight as emblematic of your agency’s efforts. The success story can come from any one of the five key areas, but should not be something that you have reported in a prior year. As noted above, these agency <u>success</u></p>	<p>Out of all the activities undertaken by your agency since March 2021 to increase transparency and improve FOIA administration, please briefly describe here at least one success story that you would like to highlight as emblematic of your agency’s efforts. The success story can come from any one of the five key areas, but should not be something that you have reported in a prior year. As noted above, these agency <u>success</u></p>

[stories](#) will be highlighted during Sunshine Week by OIP. To facilitate this process, all agencies should use bullets to describe their success story and limit their text to a half page. The success story is designed to be a quick summary of key achievements. A complete description of all your efforts will be contained in the body of your Chief FOIA Officer Report. **(Not Graded)**

[stories](#) will be highlighted during Sunshine Week by OIP. To facilitate this process, all agencies should use bullets to describe their success story and limit their text to a half page. The success story is designed to be a quick summary of key achievements. A complete description of all your efforts will be contained in the body of your Chief FOIA Officer Report. **(Not Graded)**



2022 Chief FOIA Officer Reports - Assessment of Federal Departments and Agencies
 Agencies Receiving More than 1,000 Requests (FY 2020)

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		Updated FOIA Regulations	Maintain SOPS	Making Information More Useful	Reviewed Website	Quarterly Report Postings	FY 2020 Raw Data Posting	
		Attended FOIA Training	Estimate of FOIA Professionals who Attended Training			Average Number of Days <10	Average Number of Days							
CIA				100%				2.2						
DHS				100%				9						
DOC				97%				30.86						
DOD				91%				10.04						
DOE				80%				17.37						
DOI				88%				38.57						
DOJ				95%				14.24						
DOT				90%				6.59						
ED				100%				21.72						
EEOC				100%				15.63						
EPA				96%				7.77						
FTC				100%				12.7						
GSA				100%				4.84						
HHS				95%				9.28						
HUD				80%				20.94						
Labor				94%				79.44						
NARA				95%				5						
NLRB				100%				2.86						
OPM				67%			N/A	N/A						



2022 Chief FOIA Officer Reports - Assessment of Federal Departments and Agencies
 Agencies Receiving More than 1,000 Requests (FY 2020)

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		Updated FOIA Regulations	Maintain SOPS	Making Information More Useful	Reviewed Website	Quarterly Report Postings	FY 2020 Raw Data Posting
		Attended FOIA Training	Estimate of FOIA Professionals who Attended Training			Average Number of Days <10	Average Number of Days						
PBGC				100%			6.7						
SBA				83%			49.55						
SEC				100%			2.94						
SSA				100%			5						
State				90%			12						
Treasury				90%			111.82						
USDA				92%			27.24						
USPS				100%			5.63						
VA				75%			98						



2022 Chief FOIA Officer Reports - Assessment of Federal Departments and Agencies
 Agencies Receiving More than 1,000 Requests (FY 2020)

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 2021				Agency Closed Ten Oldest Req., Appeals (App.) & Consultations (Consults.). If not, # closed in FY 2021					
	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	Green	6.52	21.14%	Green	N/A	Red	Red	Red	93%	Red	182%	Red	3/10	Red	5/10	Red	5/10
DHS	Yes	Red	29	33.53%	Green	N/A	Red	Red	Green	6%	Green	6%	Green	N/A	Red	8/10	Red	1/10
DOC	Yes	Red	60.3	50.43%	Red	Green	Red	Red	Yellow	34%	Red	152%	Red	2/10	Red	0/10	Red	3/10
DOD	Yes	Red	32.03	41.1%	Red	Green	Green	N/A	Yellow	33%	Red	82%	Red	7/10	Red	3/10	Red	1/10
DOE	Yes	Red	75.35	55.89%	Red	Red	Green	N/A	Red	45%	Red	86%	Red	6/10	Red	0/10	Red	4/10
DOI	Yes	Red	92.16	56%	Red	Red	Green	N/A	Red	71%	Red	131%	Green	N/A	Green	N/A	Green	N/A
DOJ	Yes	Red	69.45	58.55%	Red	Red	Green	N/A	Red	51%	Light Green	14%	Green	N/A	Green	N/A	Green	N/A
DOT	Yes	Red	67.65	87.13%	Red	Red	Red	Red	Yellow	31%	Red	161%	Green	N/A	Red	0/10	Red	0/10
ED	Yes	Green	10.72	52.92%	Green	N/A	Green	N/A	Yellow	32%	Red	75%	Green	N/A	Red	8/10	Green	N/A
EEOC	Yes	Red	26.32	76.93%	Green	N/A	Red	Red	Green	1%	Light Green	20%	Red	5/10	Green	N/A	Green	N/A
EPA	Yes	Red	52.55	67.18%	Green	N/A	Green	N/A	Yellow	23%	Green	0%	Red	5/10	Green	N/A	Red	4/10
FTC	Yes	Green	3.8	58.54%	Red	Green	Green	N/A	Green	1%	Green	0%	Green	N/A	Green	N/A	Green	N/A
GSA	Yes	Green	9.85	39.95%	Red	Red	Yellow	Yellow	Yellow	29%	Yellow	39%	Red	8/10	Red	4/10	Green	N/A
HHS	Yes	Red	37.36	33.09%	Red	Red	Green	N/A	Yellow	30%	Red	184%	Red	8/10	Red	9/10	Green	N/A
HUD	Yes	Red	136.54	67%	Green	N/A	Green	N/A	Red	47%	Green	8%	Red	8/10	Green	N/A	Green	N/A
Labor	Yes	Red	39.41	53.2%	Green	N/A	Red	Green	Green	9%	Red	166%	Green	N/A	Red	9/10	Red	6/10
NARA	Yes	Red	136	92.28%	Red	Red	Yellow	Red	Red	56%	Red	183%	Red	0/10	Red	0/10	Green	N/A
NLRB	No	Green	10.09	85.54%	Yellow	Green	Green	N/A	Green	1%	Green	0%	Green	N/A	Green	N/A	Green	N/A
OPM	Yes	Red	180	7%	Green	N/A	Yellow	Red	Yellow	30%	Light Green	11%	Red	9/10	Red	1/2	Green	N/A
PBGC	Yes	Green	12.9	58%	Green	N/A	Green	N/A	Green	0%	Green	0%	Green	N/A	Green	N/A	Green	N/A
SBA	Yes	Red	28.29	62%	Red	Green	Green	N/A	Light Green	12%	Light Green	14%	Red	1/10	Green	N/A	Red	2/5
SEC	Yes	Green	16.23	99%	Red	Red	Yellow	Green	Green	3%	Green	0%	Red	9/10	Green	N/A	Green	N/A
SSA	Yes	Green	18	96.5%	Green	N/A	Red	Green	Green	1%	Green	4%	Red	9/10	Red	9/10	Green	N/A
State	Yes	Red	80	9.86%	Red	Green	Red	Green	Red	140%	Red	75%	Red	6/10	Red	8/10	Red	4/10



2022 Chief FOIA Officer Reports - Assessment of Federal Departments and Agencies
 Agencies Receiving More than 1,000 Requests (FY 2020)

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 2021				Agency Closed Ten Oldest Req., Appeals (App.) & Consultations (Consults.). If not, # closed in FY 2021					
	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
Treasury	Yes	19.81	20.24%				N/A		21%		27%		3/10		9/10		6/10	
USDA	Yes	20.47	90.7%		N/A		N/A		10%		111%		8/10		9/10		N/A	
USPS	Yes	11.79	75.65%				N/A		3%		0%		6/10		N/A		N/A	
VA	Yes	51.6	64%		N/A				8%		29%		N/A		N/A		N/A	



2022 Chief FOIA Officer Reports - Assessment of Federal Departments and Agencies
 Agencies Receiving 51-1,000 Requests (FY 2020)

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		Update FOIA Regulations	Maintain SOPs	Making Information More Useful	Reviewed Website	Quarterly Report Postings	FY 2020 Raw Data Posting
		Attended FOIA Training	Estimate of FOIA Professionals who Attended Training		Average Number of Days <10	Average Number of Days						
CEQ	█	█	80%	█	█	5.71	█	█	█	█	█	█
CFPB	█	█	100%	█	█	1	█	█	█	█	█	█
CFTC	█	█	100%	█	█	18.25	█	█	█	█	█	█
CIGIE	█	█	50%	█	█	1	█	█	█	█	█	█
CPSC	█	█	100%	█	█	7.92	█	█	█	█	█	█
CSB	█	█	100%	█	█	54.29	█	█	█	█	█	█
CSOSA	█	█	100%	█	N/A	N/A	█	█	█	█	█	█
DFC	█	█	100%	█	█	8	█	█	█	█	█	█
Ex-Im Bank	█	█	100%	█	█	2.57	█	█	█	█	█	█
FCC	█	█	100%	█	█	7.83	█	█	█	█	█	█
FDIC	█	█	100%	█	█	6.93	█	█	█	█	█	█
FEC	█	█	100%	█	N/A	N/A	█	█	█	█	█	█
FERC	█	█	80%	█	█	7	█	█	█	█	█	█
FHFA	█	█	100%	█	█	1	█	█	█	█	█	█
FLRA	█	█	81%	█	█	9.88	█	█	█	█	█	█
FMCS	█	█	100%	█	N/A	N/A	█	█	█	█	█	█
FRB	█	█	100%	█	█	8	█	█	█	█	█	█
MSPB	█	█	95%	█	█	2.46	█	█	█	█	█	█
NASA	█	█	100%	█	█	5.7	█	█	█	█	█	█



2022 Chief FOIA Officer Reports - Assessment of Federal Departments and Agencies
 Agencies Receiving 51-1,000 Requests (FY 2020)

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		Update FOIA Regulations	Maintain SOPs	Making Information More Useful	Reviewed Website	Quarterly Report Postings	FY 2020 Raw Data Posting
		Attended FOIA Training	Estimate of FOIA Professionals who Attended Training		Average Number of Days <10	Average Number of Days						
NCUA	█	█	100%	█	█	6	█	█	█	█	█	█
NEH	█	█	100%	█	█	2.5	█	█	█	█	█	█
NRC	█	█	100%	█	█	1	█	█	█	█	█	█
NRPC	█	█	100%	█	█	43.55	█	█	█	█	█	█
NSF	█	█	95%	█	█	3.5	█	█	█	█	█	█
NTSB	█	█	100%	█	█	2.67	█	█	█	█	█	█
ODNI	█	█	100	█	█	6	█	█	█	█	█	█
OGE	█	█	80%	█	█	6.8	█	█	█	█	█	█
OMB	█	█	100%	█	█	20	█	█	█	█	█	█
ONDCP	█	█	0%	█	█	N/A	█	█	█	█	█	█
OSC	█	█	100%	█	█	10	█	█	█	█	█	█
OSHRC	█	█	100%	█	█	8	█	█	█	█	█	█
OSTP	█	█	100%	█	█	8.06	█	█	█	█	█	█
PC	█	█	100%	█	█	1	█	█	█	█	█	█
TVA	█	█	100%	█	█	8.78	█	█	█	█	█	█
USAGM	█	█	75%	█	█	N/A	█	█	█	█	█	█
USAID	█	█	100%	█	█	1	█	█	█	█	█	█
USIBWC	█	█	0%	█	█	N/A	█	█	█	█	█	█
USRRB	█	█	50%	█	█	N/A	█	█	█	█	█	█
USTR	█	█	100%	█	█	8	█	█	█	█	█	█



2022 Chief FOIA Officer Reports - Assessment of Federal Departments and Agencies
 Agencies Receiving 51-1,000 Requests (FY 2020)

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 2021				Agency Closed Ten Oldest Req., Appeals (App.) & Consultations (Consults.). If not, # closed in FY 2021					
	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
CEO	Yes	Red	72.73	20%	Green	N/A	Green	N/A	Yellow	35%	Green	0%	Red	4/10	Green	N/A	Green	N/A
CFPB	Yes	Green	9.04	35.5%	Green	N/A	Green	N/A	Green	6%	Green	0%	Green	N/A	Green	N/A	Green	N/A
CFTC	Yes	Yellow	24.35	77.78%	Red	Red	Green	N/A	Green	9%	Green	0%	Red	7/9	Green	N/A	Green	N/A
CIGIE	Yes	Green	3	1.83%	Green	N/A	Yellow	Red	Red	47%	Red	50%	Green	N/A	Red	0/10	Green	N/A
CPSC	Yes	Red	92.79	26%	Red	Green	Green	N/A	Red	78%	Green	0%	Red	6/10	Green	N/A	Green	N/A
CSB	Yes	Red	32.61	67%	Red	Green	Green	N/A	Yellow	39%	Green	0%	Red	0/10	Green	N/A	Green	N/A
CSOSA	Yes	Green	7	32%	Green	N/A	Green	N/A	Green	0%	Green	0%	Green	N/A	Green	N/A	Green	N/A
DFC	Yes	Red	43.32	93%	Red	Green	Green	N/A	Red	90%	Green	0%	Red	0/10	Green	N/A	Green	N/A
Ex-Im Bank	Yes	Red	44.24	45%	Yellow	Red	Green	N/A	Yellow	39%	Green	0%	Red	6/10	Green	N/A	Green	N/A
FCC	Yes	Green	12.19	70.2%	Yellow	Red	Green	N/A	Green	4%	Red	47%	Red	5/10	Red	6/10	Green	N/A
FDIC	Yes	Green	14.35	37.63%	Red	Red	Yellow	Green	Green	8%	Light Green	14%	Red	5/10	Green	N/A	Green	N/A
FEC	Yes	Green	10	39.09%	Green	N/A	Green	N/A	Green	4%	Red	50%	Red	6/9	Red	1/2	Green	N/A
FERC	Yes	Yellow	24	11.43%	Yellow	Red	Green	N/A	Red	67%	Green	0%	Red	3/10	Green	N/A	Green	N/A
FHFA	Yes	Green	17.06	60.48%	Green	N/A	Green	N/A	Light Green	18%	Green	0%	Red	8/10	Green	N/A	Green	N/A
FLRA	Yes	Green	8.09	71.13%	Green	N/A	Green	N/A	Green	0%	Green	0%	Green	N/A	Green	N/A	Green	N/A
FMCS	Yes	Red	28.4	94.7%	Green	N/A	Green	N/A	Green	0%	Green	0%	Green	N/A	Green	N/A	Green	N/A
FRB	Yes	Green	8	29%	Yellow	Green	Green	N/A	Green	3%	Green	5%	Red	8/10	Green	N/A	Green	N/A
MSPB	Yes	Green	4.49	60.48%	Green	N/A	Yellow	Red	Yellow	28%	Red	20%	Green	N/A	Red	0/2	Green	N/A
NASA	Yes	Green	15.55	39.87%	Green	N/A	Red	Red	Green	4%	Red	62%	Green	N/A	Red	0/1	Green	N/A
NCUA	Yes	Green	5.26	13.19%	Green	N/A	Green	N/A	Green	0%	Green	0%	Green	N/A	Green	N/A	Green	N/A
NEH	Yes	Green	13.9	62%	Green	N/A	Green	N/A	Green	0%	Green	0%	Green	N/A	Green	N/A	Green	N/A
NRC	Yes	Yellow	22.66	54%	Yellow	Red	Green	N/A	Yellow	36%	Light Green	17.0%	Red	2/10	Red	3/4	Red	2/3
NRPC	Yes	Green	6	85.18%	Red	Red	Yellow	Red	Red	1200%	Red	104%	Red	0/10	Red	0/10	Green	N/A
NSF	Yes	Red	92	29.57%	Red	Green	Green	N/A	Red	130%	Green	0%	Red	0/10	Green	N/A	Green	N/A



2022 Chief FOIA Officer Reports - Assessment of Federal Departments and Agencies
 Agencies Receiving 51-1,000 Requests (FY 2020)

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 2021				Agency Closed Ten Oldest Req., Appeals (App.) & Consultations (Consults.). If not, # closed in FY 2021					
	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
NTSB	Yes	Yellow	23.74	26%	Yellow	Red	Green	N/A	Yellow	25%	Green	0%	Green	N/A	Green	N/A	Green	N/A
ODNI	Yes	Green	6	32.72%	Green	N/A	Red	Red	Red	112%	Yellow	37%	Red	7/10	Red	2/4	Green	N/A
OGE	No	Red	72.3	93.58%	Green	N/A	Green	N/A	Light Green	11%	Green	0%	Red	9/10	Green	N/A	Green	N/A
OMB	Yes	Red	144	60.79%	Red	Red	Yellow	Green	Red	234%	Red	250%	Red	7/10	Red	3/10	Red	9/10
ONDCP	Yes	Green	9	54.35%	Green	N/A	Green	N/A	Yellow	34%	Green	0%	Red	9/10	Green	N/A	Green	N/A
OSC	Yes	Red	47.27	47.93%	Green	N/A	Green	N/A	Green	3%	Green	0%	Green	N/A	Green	N/A	Green	N/A
OSHC	Yes	Green	4.7	95.9%	Green	N/A	Green	N/A	Green	N/A	Green	0%	Green	N/A	Green	N/A	Green	N/A
OSTP	Yes	Red	35.92	41%	Red	Green	Green	N/A	Red	102%	Green	0%	Red	N/A	Green	N/A	Green	N/A
PC	Yes	Red	107	92.42%	Green	N/A	Green	N/A	Red	57%	Green	0%	Red	3/10	Green	N/A	Green	N/A
TVA	Yes	Green	15.29	70.7%	Green	N/A	Green	N/A	Green	5%	Green	0%	Green	N/A	Green	N/A	Green	N/A
USAGM	No	Red	136	100%	Red	Green	Yellow	Red	Red	73%	Red	150%	Red	5/10	Green	N/A	Green	N/A
USAID	Yes	Red	245.77	10%	Red	Red	Yellow	Red	Red	120%	Red	83%	Green	N/A	Green	N/A	Green	N/A
USIBWC	No	Red	25.67	100%	Red	Red	Green	N/A	Red	130%	Green	0%	Red	1/10	Green	N/A	Green	N/A
USRRB	No	Green	19.9	100%	Yellow	Red	Green	N/A	Green	1%	N/A	N/A	Red	N/A	Green	N/A	Green	N/A
USTR	Yes	Yellow	24	76.28%	Yellow	Red	Green	N/A	Green	5%	Green	0%	Green	N/A	Green	N/A	Green	N/A



2022 Chief FOIA Officer Reports - Assessment of Federal Departments and Agencies
 Agencies Receiving More than 1,000 Requests (FY 2020)

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		Updated FOIA Regulations	Maintain SOPS	Making Information More Useful	Reviewed Website	Quarterly Report Postings	FY 2020 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%	R	DG	DG	2.2	R	DG	DG	DG	DG	DG	
DHS	DG	DG	DG	100%	DG	DG	DG	9	DG	DG	DG	DG	Y	DG	
DOC	DG	DG	DG	97%	DG	DG	R	30.86	DG	DG	DG	DG	Y	DG	
DOD	DG	DG	DG	91%	DG	DG	LG	10.04	DG	DG	DG	DG	DG	DG	
DOE	DG	DG	LG	80%	Y	DG	R	17.37	DG	DG	DG	DG	DG	DG	
DOI	DG	DG	DG	88%	DG	DG	R	38.57	DG	DG	DG	DG	DG	DG	
DOJ	DG	DG	DG	95%	DG	DG	R	14.24	DG	DG	DG	DG	DG	DG	
DOT	DG	DG	DG	90%	DG	DG	DG	6.59	DG	DG	DG	DG	DG	DG	
ED	DG	DG	DG	100%	R	DG	R	21.72	DG	DG	DG	DG	DG	DG	
EEOC	DG	DG	DG	100%	R	DG	R	15.63	DG	Y	DG	DG	DG	DG	
EPA	DG	DG	DG	96%	DG	DG	DG	7.77	DG	DG	DG	DG	DG	DG	
FTC	DG	DG	DG	100%	Y	DG	R	12.7	DG	DG	DG	DG	R	DG	
GSA	DG	DG	DG	100%	DG	DG	DG	4.84	DG	Y	DG	DG	DG	DG	
HHS	DG	DG	DG	95%	DG	DG	DG	9.28	DG	DG	DG	DG	DG	DG	
HUD	DG	DG	LG	80%	R	DG	R	20.94	DG	DG	DG	DG	Y	R	
Labor	DG	DG	DG	94%	Y	DG	R	79.44	DG	DG	DG	DG	DG	DG	
NARA	DG	DG	DG	95%	DG	DG	DG	5	DG	DG	DG	DG	DG	DG	
NLRB	DG	DG	DG	100%	DG	DG	DG	2.86	DG	DG	DG	DG	DG	DG	
OPM	DG	DG	R	67%	R	DG	N/A	N/A	R	R	R	DG	DG	R	



2022 Chief FOIA Officer Reports - Assessment of Federal Departments and Agencies
 Agencies Receiving More than 1,000 Requests (FY 2020)

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		Updated FOIA Regulations	Maintain SOPS	Making Information More Useful	Reviewed Website	Quarterly Report Postings	FY 2020 Raw Data Posting
		Attended FOIA Training	Estimate of FOIA Professionals who Attended Training	Average Number of Days <10			Average Number of Days							
PBGC	DG	DG	DG	100%	DG	DG	DG	6.7	DG	DG	DG	DG	DG	DG
SBA	DG	DG	DG	83%	R	DG	R	49.55	DG	DG	DG	DG	R	DG
SEC	DG	DG	DG	100%	DG	DG	DG	2.94	DG	DG	DG	DG	LG	DG
SSA	DG	DG	DG	100%	DG	DG	DG	5	R	R	DG	DG	Y	DG
State	DG	DG	DG	90%	DG	DG	0	12	DG	DG	DG	DG	DG	DG
Treasury	DG	DG	DG	90%	Y	DG	R	111.82	DG	DG	DG	DG	Y	DG
USDA	DG	DG	DG	92%	DG	DG	R	27.24	DG	DG	DG	DG	DG	DG
USPS	DG	DG	DG	100%	DG	DG	DG	5.63	DG	DG	DG	DG	DG	DG
VA	DG	DG	LG	75%	R	R	R	98	DG	DG	DG	DG	0	R



2022 Chief FOIA Officer Reports - Assessment of Federal Departments and Agencies
 Agencies Receiving More than 1,000 Requests (FY 2020)

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 2021				Agency Closed Ten Oldest Req., Appeals (App.) & Consultations (Consults.). If not, # closed in FY 2021					
	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	6.52	21.14%	DG	N/A	R	R	R	93%	R	182%	R	3/10	R	5/10	R	5/10
DHS	Yes	R	29	33.53%	DG	N/A	R	R	DG	6%	DG	6%	DG	N/A	R	8/10	R	1/10
DOC	Yes	R	60.3	50.43%	R	DG	R	R	O	34%	R	152%	R	2/10	R	0/10	R	3/10
DOD	Yes	R	32.03	41.1%	R	DG	DG	N/A	O	33%	R	82%	R	7/10	R	3/10	R	1/10
DOE	Yes	R	75.35	55.89%	R	R	DG	N/A	R	45%	R	86%	R	6/10	R	0/10	R	4/10
DOI	Yes	R	92.16	56%	R	R	DG	N/A	R	71%	R	131%	DG	N/A	DG	N/A	DG	N/A
DOJ	Yes	R	69.45	58.55%	R	R	DG	N/A	R	51%	LG	14%	DG	N/A	DG	N/A	DG	N/A
DOT	Yes	R	67.65	87.13%	R	R	R	R	O	31%	R	161%	DG	N/A	R	0/10	R	0/10
ED	Yes	DG	10.72	52.92%	DG	N/A	DG	N/A	O	32%	R	75%	DG	N/A	R	8/10	DG	N/A
EEOC	Yes	R	26.32	76.93%	DG	N/A	R	R	DG	1%	LG	20%	R	5/10	DG	N/A	DG	N/A
EPA	Yes	R	52.55	67.18%	DG	N/A	DG	N/A	Y	23%	DG	0%	R	5/10	DG	N/A	R	4/10
FTC	Yes	DG	3.8	58.54%	R	DG	DG	N/A	DG	1%	DG	0%	DG	N/A	DG	N/A	DG	N/A
GSA	Yes	DG	9.85	39.95%	R	R	Y	Y	Y	29%	O	39%	R	8/10	R	4/10	DG	N/A
HHS	Yes	R	37.36	33.09%	R	R	DG	N/A	Y	30%	R	184%	R	8/10	R	9/10	DG	N/A
HUD	Yes	R	136.54	67%	DG	N/A	DG	N/A	R	47%	DG	8%	R	8/10	DG	N/A	DG	N/A
Labor	Yes	R	39.41	53.2%	DG	N/A	R	DG	DG	9%	R	166%	DG	N/A	R	9/10	R	6/10
NARA	Yes	R	136	92.28%	R	R	Y	R	R	56%	R	183%	R	0/10	R	0/10	DG	N/A
NLRB	No	DG	10.09	85.54%	Y	DG	DG	N/A	DG	1%	DG	0%	DG	N/A	DG	N/A	DG	N/A
OPM	Yes	R	180	7%	DG	N/A	Y	R	Y	30%	LG	11%	R	9/10	R	1/2	DG	N/A
PBGC	Yes	DG	12.9	58%	DG	N/A	DG	N/A	DG	0%	DG	0%	DG	N/A	DG	N/A	DG	N/A
SBA	Yes	R	28.29	62%	R	DG	DG	N/A	LG	12%	LG	14%	R	1/10	DG	N/A	R	2/5
SEC	Yes	DG	16.23	99%	R	R	Y	DG	DG	3%	DG	0%	R	9/10	DG	N/A	DG	N/A
SSA	Yes	DG	18	96.5%	DG	N/A	R	DG	DG	1%	DG	4%	R	9/10	R	9/10	DG	N/A
State	Yes	R	80	9.86%	R	DG	R	DG	R	140%	R	75%	R	6/10	R	8/10	R	4/10
Treasury	Yes	DG	19.81	20.24%	R	R	DG	N/A	Y	21%	Y	27%	R	3/10	R	9/10	R	6/10



2022 Chief FOIA Officer Reports - Assessment of Federal Departments and Agencies
 Agencies Receiving More than 1,000 Requests (FY 2020)

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 2021				Agency Closed Ten Oldest Req., Appeals (App.) & Consultations (Consults.). If not, # closed in FY 2021					
	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
USDA	Yes	LG	20.47	90.7%	DG	N/A	DG	N/A	DG	10%	R	111%	R	8/10	R	9/10	DG	N/A
USPS	Yes	DG	11.79	75.65%	R	DG	DG	N/A	DG	3%	DG	0%	R	6/10	DG	N/A	DG	N/A
VA	Yes	R	51.6	64%	DG	N/A	R	R	DG	8%	Y	29%	DG	N/A	DG	N/A	DG	N/A



2022 Chief FOIA Officer Reports - Assessment of Federal Departments and Agencies

Agencies Receiving 51-1,000 Requests (FY 2020)

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		Update FOIA Regulations	Maintain SOPs	Making Information More Useful	Reviewed Website	Quarterly Report Postings	FY 2020 Raw Data Posting
		Attended FOIA Training	Estimate of FOIA Professionals who Attended Training		Average Number of Days <10	Average Number of Days						
CEO	DG	DG	80%	DG	DG	5.71	R	DG	DG	DG	DG	DG
CFPB	DG	DG	100%	DG	DG	1	DG	DG	DG	DG	DG	DG
CFTC	DG	DG	100%	DG	R	18.25	DG	DG	DG	DG	DG	DG
CIGIE	DG	DG	50%	DG	DG	1	DG	R	DG	DG	LG	DG
CPSC	DG	DG	100%	DG	DG	7.92	DG	DG	DG	DG	DG	R
CSB	DG	DG	100%	DG	R	54.29	DG	R	R	DG	DG	DG
CSOSA	DG	DG	100%	DG	N/A	N/A	DG	DG	R	DG	DG	DG
DFC	DG	DG	100%	DG	DG	8	DG	DG	DG	DG	0	DG
Ex-Im Bank	DG	DG	100%	DG	DG	2.57	R	Y	DG	DG	DG	DG
FCC	DG	DG	100%	DG	DG	7.83	DG	DG	DG	DG	DG	DG
FDIC	DG	DG	100%	DG	DG	6.93	DG	DG	DG	DG	LG	DG
FEC	DG	DG	100%	DG	N/A	N/A	R	DG	DG	DG	DG	DG
FERC	DG	DG	80%	DG	DG	7	DG	DG	DG	DG	Y	DG
FHFA	DG	DG	100%	DG	DG	1	DG	DG	DG	DG	DG	DG
FLRA	DG	DG	81%	DG	DG	9.88	DG	Y	DG	DG	DG	DG
FMCS	DG	DG	100%	DG	N/A	N/A	DG	DG	DG	DG	DG	DG
FRB	DG	DG	100%	DG	DG	8	DG	DG	DG	DG	DG	DG
MSPB	DG	DG	95%	DG	DG	2.46	R	Y	DG	DG	DG	DG
NASA	DG	DG	100%	DG	DG	5.7	DG	R	DG	DG	DG	DG



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Agencies Receiving 51-1,000 Requests (FY 2020)

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		Update FOIA Regulations	Maintain SOPs	Making Information More Useful	Reviewed Website	Quarterly Report Postings	FY 2020 Raw Data Posting
		Attended FOIA Training	Estimate of FOIA Professionals who Attended Training		Average Number of Days <10	Average Number of Days						
NCUA	DG	DG	100%	DG	DG	6	DG	DG	DG	DG	DG	DG
NEH	DG	DG	100%	DG	DG	2.5	DG	DG	DG	DG	DG	DG
NRC	DG	DG	100%	DG	DG	1	DG	DG	DG	DG	DG	DG
NRPC	DG	DG	100%	DG	R	43.55	DG	R	DG	DG	O	R
NSF	DG	DG	95%	DG	DG	3.5	R	Y	DG	DG	DG	DG
NTSB	DG	DG	100%	DG	DG	2.67	DG	DG	DG	DG	DG	DG
ODNI	DG	DG	100	DG	DG	6	R	DG	DG	DG	DG	R
OGE	DG	DG	80%	DG	DG	6.8	DG	DG	DG	DG	DG	DG
OMB	DG	DG	100%	DG	R	20	DG	DG	DG	DG	Y	DG
ONDCP	DG	R	0%	DG	N/A	N/A	DG	R	DG	DG	DG	DG
OSC	DG	DG	100%	DG	DG	10	DG	Y	DG	DG	DG	DG
OSHRC	DG	DG	100%	DG	DG	8	DG	DG	DG	DG	DG	DG
OSTP	DG	DG	100%	DG	DG	8.06	DG	DG	DG	DG	DG	DG
PC	DG	DG	100%	DG	DG	1	R	DG	DG	DG	R	DG
TVA	DG	DG	100%	DG	DG	8.78	DG	DG	DG	DG	R	DG
USAGM	DG	DG	75%	DG	N/A	N/A	R	DG	DG	DG	R	DG
USAID	DG	DG	100%	DG	DG	1	DG	DG	DG	DG	R	DG
USIBWC	DG	R	0%	Y	N/A	N/A	R	DG	DG	R	R	R
USRRB	DG	DG	50%	DG	N/A	N/A	DG	DG	DG	DG	DG	DG



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 Agencies Receiving 51-1,000 Requests (FY 2020)

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		Update FOIA Regulations	Maintain SOPs	Making Information More Useful	Reviewed Website	Quarterly Report Postings	FY 2020 Raw Data Posting
		Attended FOIA Training	Estimate of FOIA Professionals who Attended Training		Average Number of Days <10	Average Number of Days						
USTR	DG	DG	100%	DG	DG	8	DG	DG	DG	DG	DG	DG



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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 2021				Agency Closed Ten Oldest Req., Appeals (App.) & Consultations (Consults.). If not, # closed in FY 2021					
	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	72.73	20%	DG	N/A	DG	N/A	O	35%	DG	0%	R	4/10	DG	N/A	DG	N/A
CFPB	Yes	DG	9.04	35.5%	DG	N/A	DG	N/A	DG	6%	DG	0%	DG	N/A	DG	N/A	DG	N/A
CFTC	Yes	O	24.35	77.78%	R	R	DG	N/A	DG	9%	DG	0%	R	7/9	DG	N/A	DG	N/A
CIGIE	Yes	DG	3	1.83%	DG	N/A	Y	R	R	47%	R	50%	DG	N/A	R	0/10	DG	N/A
CPSC	Yes	R	92.79	26%	R	DG	DG	N/A	R	78%	DG	0%	R	6/10	DG	N/A	DG	N/A
CSB	Yes	R	32.61	67%	R	DG	DG	N/A	O	39%	DG	0%	R	0/10	DG	N/A	DG	N/A
CSOSA	Yes	DG	7	32%	DG	N/A	DG	N/A	DG	0%	DG	0%	DG	N/A	DG	N/A	DG	N/A
DFC	Yes	R	43.32	93%	R	DG	DG	N/A	R	90%	DG	0%	R	0/10	DG	N/A	DG	N/A
Ex-Im Bank	Yes	R	44.24	45%	Y	R	DG	N/A	O	39%	DG	0%	R	6/10	DG	N/A	DG	N/A
FCC	Yes	DG	12.19	70.2%	Y	R	DG	N/A	DG	4%	R	47%	R	5/10	R	6/10	DG	N/A
FDIC	Yes	DG	14.35	37.63%	R	R	Y	DG	DG	8%	LG	14%	R	5/10	DG	N/A	DG	N/A
FEC	Yes	DG	10	39.09%	DG	N/A	DG	N/A	DG	4%	R	50%	R	6/9	R	1/2	DG	N/A
FERC	Yes	O	24	11.43%	Y	R	DG	N/A	R	67%	DG	0%	R	3/10	DG	N/A	DG	N/A
FHFA	Yes	DG	17.06	60.48%	DG	N/A	DG	N/A	LG	18%	DG	0%	R	8/10	DG	N/A	DG	N/A
FLRA	Yes	DG	8.09	71.13%	DG	N/A	DG	N/A	DG	0%	DG	0%	DG	N/A	DG	N/A	DG	N/A
FMCS	Yes	R	28.4	94.7%	DG	N/A	DG	N/A	DG	0%	DG	0%	DG	N/A	DG	N/A	DG	N/A
FRB	Yes	DG	8	29%	Y	DG	DG	N/A	DG	3%	DG	5%	R	8/10	DG	N/A	DG	N/A
MSPB	Yes	DG	4.49	60.48%	DG	N/A	Y	R	Y	28%	R	20%	DG	N/A	R	0/2	DG	N/A
NASA	Yes	DG	15.55	39.87%	DG	N/A	R	R	DG	4%	R	62%	DG	N/A	R	0/1	DG	N/A
NCUA	Yes	DG	5.26	13.19%	DG	N/A	DG	N/A	DG	0%	DG	0%	DG	N/A	DG	N/A	DG	N/A
NEH	Yes	DG	13.9	62%	DG	N/A	DG	N/A	DG	0%	DG	0%	DG	N/A	DG	N/A	DG	N/A
NRC	Yes	Y	22.66	54%	Y	R	DG	N/A	Y	36%	LG	17.0%	R	2/10	R	3/4	R	2/3
NRPC	Yes	DG	6	85.18%	R	R	Y	R	R	1200%	R	104%	R	0/10	R	0/10	DG	N/A
NSF	Yes	R	92	29.57%	R	DG	DG	N/A	R	130%	DG	0%	R	0/10	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
NTSB	Yes	O	23.74	26%	Y	R	DG	N/A	Y	25%	DG	0%	DG	N/A	DG	N/A	DG	N/A
ODNI	Yes	DG	6	32.72%	DG	N/A	R	R	R	112%	O	37%	R	7/10	R	2/4	DG	N/A
OGE	No	R	72.3	93.58%	DG	N/A	DG	N/A	LG	11%	DG	0%	R	9/10	DG	N/A	DG	N/A
OMB	Yes	R	144	60.79%	R	R	Y	DG	R	234%	R	250%	R	7/10	R	3/10	R	9/10
ONDCP	Yes	DG	9	54.35%	DG	N/A	DG	N/A	O	34%	DG	0%	R	9/10	DG	N/A	DG	N/A
OSC	Yes	R	47.27	47.93%	DG	N/A	DG	N/A	DG	3%	DG	0%	DG	N/A	DG	N/A	DG	N/A
OSHRC	Yes	DG	4.7	95.9%	DG	N/A	DG	N/A	DG	N/A	DG	0%	DG	N/A	DG	N/A	DG	N/A
OSTP	Yes	R	35.92	41%	R	DG	DG	N/A	R	102%	DG	0%	R	N/A	DG	N/A	DG	N/A
PC	Yes	R	107	92.42%	DG	N/A	DG	N/A	R	57%	DG	0%	R	3/10	DG	N/A	DG	N/A
TVA	Yes	DG	15.29	70.7%	DG	N/A	DG	N/A	DG	5%	DG	0%	DG	N/A	DG	N/A	DG	N/A
USAGM	No	R	136	100%	R	DG	Y	R	R	73%	R	150%	R	5/10	DG	N/A	DG	N/A
USAID	Yes	R	245.77	10%	R	R	Y	R	R	120%	R	83%	DG	N/A	DG	N/A	DG	N/A
USIBWC	No	R	25.67	100%	R	R	DG	N/A	R	130%	DG	0%	R	1/10	DG	N/A	DG	N/A
USRRB	No	DG	19.9	100%	Y	R	DG	N/A	DG	1%	N/A	N/A	R	N/A	DG	N/A	DG	N/A
USTR	Yes	O	24	76.28%	Y	R	DG	N/A	DG	5%	DG	0%	DG	N/A	DG	N/A	DG	N/A