



GSA Chief FOIA Officer

April 4, 2022

Proxity Electronic Commerce Systems, LLC
1065 South Pinellas Avenue, Number 360
Tarpon Springs, FL 34689

Ms. Sarah S. Reida, Esq.
Legal Meets Practical, LLC
50 S. Main Street, Suite 200
Naperville, IL 60540

Dear Ms. Reida:

This letter is in response to your U.S. General Services Administration (GSA) Freedom of Information Act (FOIA) appeal number (GSA-2022-000383), submitted on December 30, 2021, in which you and Proxity Electronic Commerce Systems, LLC appealed GSA's decision of a partial denial under FOIA in response to your FOIA request number (GSA-2021-001723), submitted on September 23, 2021, in which you and Proxity Electronic Commerce Systems, LLC requested the following:

"[i]nformation as maintained by the General Services Administration within the beta.sam.gov database ("Beta Sam") for each active, registered federal government contractor:

Business Name;
Business Address;
Business Phone Number;
Business Email; and
Business DUNS.

To expedite this request, I wanted to address a prior inconsistency in the government's release of such information due to it being sourced in part from the Duns and Bradstreet ("D&B") database, which is a non-government source. Any prior non-disclosure was improper."

On October 15, 2021, GSA replied to your FOIA request with a partial denial, which was incorrectly characterized as a "full grant" because it directed you to the publicly available extract. On October 19, 2021, you followed up with our office seeking clarification of our decision.

On December 30, 2021, you appealed GSA's response by stating the following summary points:

U.S General Services Administration
1800 F. Street, NW
Washington, DC 20405
Toll Free: (855)-675-3642
Fax: (202) 501-2727

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“A. FOIA Exemption (b)(6) protecting the interest to privacy does not apply to the information requested to be disclosed; and

B. There is no privacy interest that outweighs a requestor’s interest in this information.”

After review of your request and the records available, GSA has determined withholding the individual contact telephone numbers and email addresses of SAM.gov registrants is appropriate, as disclosure would constitute a clearly unwarranted invasion of personal privacy under 5 U.S.C. § 552(b)(6).

GSA is committed to safeguarding the personal privacy and cybersecurity of SAM.gov registrants. Registrants in SAM.gov are not only large Government contracting companies, but also individual small business owners and sole proprietors, as well as entities seeking Government grants. The number of registrants who are individuals has multiplied significantly following the passage of the American Rescue Plan and other legislation funding pandemic response and economic revitalization measures. These individuals have an expectation of privacy in their contact information, which constitutes an increased security and privacy risk when aggregated on the public extract. As the names and addresses of contracting entities are currently provided, we have determined disclosing individual contact email addresses and phone numbers does not provide any additional substantive information on the conduct of Governmental affairs and your interest in receiving this information does not outweigh the privacy interest these individuals have in their contact information under 5 U.S.C. § 552(b)(6).

This letter constitutes GSA’s final determination regarding this matter. You have the right to seek judicial review of this determination in the United States District Court in the District in which you reside, have your principal place of business, or in the District of Columbia, or where the records are located.

As an alternative to litigation, the Office of Government Information Services (OGIS) has been created under the 2007 FOIA amendments. OGIS was created to offer mediation services to resolve disputes between FOIA requesters and Federal agencies as a nonexclusive alternative to litigation. Using OGIS services does not affect your right to pursue litigation. You may contact OGIS by mail at the Office of Government Information Services, National Archives and Records Administration, 8601 Adelphi Road, Room 2501, College Park, MD 20740, via email at ogis@nara.gov or by phone at (877) 684-6448.

Sincerely,

DocuSigned by:

Daniel Hall

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Daniel F. Hall

Associate General Counsel for General Law