



April 25, 2017

MuckRock News
DEPT MR 34886
411A Highland Ave
Somerville, MA 02144-2516

Dear MuckRock News

This is in response to your U.S. General Services Administration (GSA) Freedom of Information Act (FOIA) request (GSA-2017-000701) dated March 14, 2017, in which you requested:

"1. Any available log of appeals submitted to this agency or the agency tasked with processing Freedom of Information Act appeals for this division. Please provide such logs for the period from January 1, 2015 through December 31, 2016. Please, if possible, include with the log the following items:

- the request number associated with the FOIA in question
- the appeal number assigned to the appeal
- the description of the subject matter addressed by the request
- the division or office of initial receipt
- the date on which the appeal was received
- the date on which the appeal was closed
- the determination or final disposition status of the appeal

2. All appeal letters and opinion letters associated with appeals for which the determination was to reverse, in whole or in part, the decision of the initial request agency. Please provide such letters for appeals closed during the period from January 1, 2015 through December 31, 2016.

3. All appeal letters and opinion letters associated with appeals for which the determination was to remand the request to the appropriate agency. Please provide such letters for appeals closed during the period from January 1, 2015 through December 31, 2016.

4. All appeal letters and opinion letters associated with appeals for which the determination was to affirm the decision of the initial agency. Please provide such letters for appeals closed during the period from January 1, 2015 through December 31, 2016.

5. Any instructive or guiding materials provided to and/or utilized by employees of this department's Freedom of Information Act office. Please include any manuals, procedural materials, reference guides, checklists, training materials, flow charts, directives, memorandums, legal decisions, presentations, or similar material used in the process of an appeal by this office or the office tasked to process FOIA appeals for this office. Any guiding materials used for the preparation of an appeal package should be considered responsive to, though not the entirety of, this element of this request.

6. The name and contact information for the appropriate appeal authority to whom appeals for this agency should be directed. If such information exists as part of a template letter sent to requesters, provision of this document will be considered satisfactory.

Please provide responsive materials on a rolling basis."

With respect to parts 1, 2, 3 and 4 of your request, please find enclosed 657 pages of responsive records. Please be advised that parts of these records have been redacted pursuant to applicable FOIA exemptions.

Specifically, parts of the responsive records have been withheld pursuant to the fourth exemption to the FOIA, 5 U.S.C. § 552(b)(4), which permits an agency to withhold information that contains commercial or financial information that is privileged or confidential. Additionally, some documents which reflect the agency's pre-decisional recommendations have been redacted where appropriate pursuant to the fifth exemption to the FOIA, 5 U.S.C. § 552(b)(5). Finally, GSA has withheld private individual's personally identifiable information (PII) pursuant to the sixth exemption to the FOIA, 5 U.S.C. § 552(b)(6) which permits an agency to withhold information that would constitute a clearly unwarranted invasion of personal privacy.

With respect to part 5 of your request, GSA follows the guidance promulgated by the Department Of Justice's Office of Information Policy as found here when responding to FOIA Appeals: <https://www.justice.gov/oip/doj-guide-freedom-information-act-0>

With respect to part 6 of your request, please direct your attention to the last paragraph of this letter, where the information to submit an appeal is located.

Lastly, with respect to your request to receive these types of responsive documents on a rolling basis, the Agency does not have the resources to provide this service. You nonetheless may make a FOIA request at your discretion at any future date for any possibly additional responsive records.

As GSA has redacted portions of the responsive records as stated above, this technically constitutes a partial denial of your FOIA request. You have the right to appeal the denial of the information being withheld. As such, you may administratively submit your appeal

online at the following link: (<https://foiaonline.regulations.gov/foia/action/public/home>) or by writing to the following address shown below:

U.S. General Services Administration
FOIA Requester Service Center (H1F)
1800 F Street, NW, Room 7308
Washington, DC 20405

Your appeal must be postmarked or electronically transmitted within 120 days (August 25, 2017) of the date of the response to your request. In addition, your appeal must contain a brief statement of the reasons why the requested information should be released. Please enclose a copy of your initial request and this denial. Both the appeal letter and envelope or online appeal submission should be prominently marked, "Freedom of Information Act Appeal."

This completes our action on this FOIA request. Should you have any questions, please contact me (Travis Lewis), at (202) 219-3078 or by email at travis.lewis@gsa.gov. If you need additional assistance, you may also contact Ms. Audrey Brooks, GSA's FOIA Public Liaison at (202) 205-5912 or via email at audrey.brooks@gsa.gov. Additionally, you may contact the Office of Government Information Services (OGIS) at the National Archives and Records Administration to inquire about the FOIA mediation services they offer. The contact information for OGIS is as follows: Office of Government Information Services, National Archives and Records Administration, 8601 Adelphi Road-OGIS, College Park, Maryland 20740-6001, e-mail at ogis@nara.gov; telephone at (202) 741-5770; toll free at 1-(877) 684-6448; or facsimile at (202) 741-5769.

Sincerely,

Travis Lewis

Travis Lewis
FOIA Program Manager

Enclosures