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May 2, 2022

This letter is in response to your U.S. General Services Administration (GSA) Freedom of Information Act (FOIA) request number (GSA-2022-000762), submitted on March 18, 2022, in which you requested the following:

“A copy of the most recent internal GSA FOIA Service Level Expectation (SLE) document which covers the agreed responsibilities and required actions and services provided by agency FOIA SMEs and the GSA FOIA requester service center. If this is not a "current" document, then I request the most recent version, whether or not it is considered "current" or "obsolete". These records are located in the GSA FOIA Requester Service Center and the Office of the Chief FOIA Officer at GSA.”

Enclosed please find the document(s) responsive to your request.

This completes our action on this FOIA request. Should you have any questions, please contact me at (202) 219-3078 or by email at travis.lewis@gsa.gov. You may also contact the GSA FOIA Public Liaison, Seth Greenfeld, at (202) 501-4560 or by email at seth.greenfeld@gsa.gov for any additional assistance and to discuss any aspect of your FOIA request.

Sincerely,

Travis Lewis

Travis Lewis
FOIA Program Manager
Office of the General Counsel
General Services Administration

Enclosure

Service Level Expectations from the Office of Administrative Services (OAS) FOIA Requester Service Center

OVERVIEW: This Service Level Expectation (SLE) sets forth the duties and responsibilities of the Office of Administrative Services (OAS) FOIA Requester Service Center and Service and Staff Offices (SSO) in the processing, coordination and response of FOIA requests.

BACKGROUND: Under (5 U.S.C. § 552, As Amended By Public Law No. 110-175, 121 Stat. 2524, and Public Law No. 111-83, § 564, 123 Stat. 2142, 2184), The Freedom of Information Act (FOIA) is a United States federal law that grants the public access to information possessed by government agencies. Upon written request, U.S. government agencies are required to release information unless it falls under one of nine exemptions listed in the Act. All Executive Branch departments, agencies and offices, federal regulatory agencies and federal corporations are subject to the Freedom of Information Act. The FOIA does not apply to Congress, federal courts and parts of the Executive Office of the President that serve only to advise and assist the President.

PURPOSE: The purpose of the SLE is to explain the processes, procedures, duties, responsibilities and associated actions to effectively and efficiently execute FOIA requests between the OAS, FOIA Requester Service Center and its GSA counterparts within the statutory time limits set forth by the Department of Justice (DOJ).

GENERAL COMMUNICATION PROTOCOL: The FOIA Requester Service Center must be notified in advance of any communication with/to the requester.

RESPONSIBILITIES:

OAS FOIA Requester Service Center:

- Manage requests from the time the request is received until the time a response is provided to the requester.
- Determine whether the information resides within GSA or another Federal Government Agency.
- Send an acknowledgment letter to the requester informing them of this action.
- Determine whether a fee waiver or expedited process applies to the FOIA.
- Determine which business line is most likely responsible for the records being requested.
- Work with the SSO to determine a Subject Matter Expert (SME) to research, collect and review the information responsive to the request.
- Coordinate with the SSO POC and/or SME to determine the scope, timeframes, due dates, and fees involved with completing the request.
- Provide assigned SME the templates of the response letter, assurance letter, fee determination sheets, U.S. General Services Administration Credit Card Collection Claims and Billing Form (3602B form) etc. to ensure consistency and standardization.
- Monitor the request to ensure it is moving efficiently through the process and meets established timeframes and due dates. The timeframes and due dates to be carefully monitored are:

- o **Original 20-Business Day Due Date:** The FOIA provides that the standard twenty-day time period begins on the date the request is first received by the appropriate SSO, but no later than ten days after the request is first received by any component within the agency that is designated by the agency's regulations to receive FOIA requests. The proposed response documents are due to the FOIA Requester Service Center three (3) business days prior to the FOIA due date.

- o **10-Business Day Extensions.** In “**unusual circumstances**”, an agency can extend the twenty-day time limit for processing a FOIA request if it tells the requester in writing why it needs the extension and when it will make a determination on the request. The FOIA defines “unusual circumstances” as (1) the need to search for and collect records from separate offices; (2) the need to examine a voluminous amount of records required by the request; and (3) the need to consult with another agency or agency business line”. This statutory 10-day extension of time can only be granted **once**.

- o **Negotiated Extensions.** The SME will notify the FOIA Requester Service Center if they will need additional time (beyond the original 20-business day and 10-business day extension) to respond to the request [Insert days]. Once notified, the FOIA Requester Service Center will notify the requester via email to negotiate a new due date. In order to make the negotiated due date official, the requester must concur/approve in writing. So if additional time is needed after the ten day extension has been exhausted, the business line must contact the FOIA Requester Service Center. The FOIA Requester Service Center will in turn contact the requester to allow them the opportunity to modify their request or to arrange an alternative time frame with the requester for completion of the agency's processing. If a negotiated timeframe is arranged with the requester, that change must be obtained in writing. A copy of this change must be uploaded into the FOIAonline system, before the due date can be changed.

- Maintain communication with the requester regarding status updates, clarifications, due dates, extensions, fee waiver requests, expedited processing and approving and issuing of final fees.
- Review the proposed final package submitted by the SME to ensure all appropriate concurrences and signatures have occurred before final review, approval and release to the requester. In General, proper concurrences will typically include:
 - Appropriate Business Line Supervisors;
 - Division Director;
 - Office Director;
 - Office of General Counsel (OGC) (Program/Regional Attorney);
 - Regional Commissioner and/or Regional Administrator (if applicable)
 - Heads of Service or Staff Office (if applicable);

- Review the responsive documents to make sure all redactions are properly noted in the proposed response letter.
- Review the proposed response letter to ensure proper format, free from grammatical errors; it explains what is being released and what is being withheld and why specific information is being withheld, the appeal paragraph is included if information is being withheld and the SME's contact information.

- Release the material to the requester via FOIA Online email or United States Postal Service.
- Maintain a complete record of all activities, correspondence, emails, draft and final responsive documents, etc. in the FOIA Online system.

Service and Staff Offices:

- Provide the most recent organizational chart, with names, of their structure to the GSA FOIA Requester Service Center. The purpose of providing the organizational chart is to ensure that both parties know the latest structure of the Business Line or Program Office in order to effectively disseminate FOIA information.
- Notify and send directly to the FOIA Requester Service Center any FOIA request that comes directly to their business line or regional office within two (2) business days.
- Within five (5) business days of receiving the FOIA request from the FOIA Requester Service Center, notify the FOIA Requester Service Center of the following (if necessary):
 - Any necessary FOIA request clarifications
 - If an Extension/Negotiated Due Dates is necessary
 - Any FOIA Fees associated with the FOIA
- Using the GSA FOIA Requester Service Center provided templates and worksheets, prepare and forward the fee package (fee assurance letter, fee determination sheet and 3602B form) to the FOIA Requester Service Center. The FOIA Requester Service Center will assist SMEs throughout this process as it is necessary.
- Have the Subject Matter Expert (SME) locate and gather all GSA records and documents that are responsive to the FOIA requester's FOIA request.
- Review and redact all documents responsive to the request. Redacted elements of the responsive documents will include the appropriate exemption highlighted. Upload a copy of the original and redacted documents into the FOIAonline system.
- Obtain the concurrence of the Office of the General Counsel (OGC) staff assigned to your organization on all proposed redactions.
- Strive to meet all established timeframes and due dates established by the FOIA Requester Service Center. Key timeframes and due dates are:
 - **Original 20-Business Day Due Date** (This is the original date received in the GSA FOIA Office). The proposed response documents are due to the FOIA Requester Service Center three (3) business days prior to the FOIA due date.
 - **10-Business Day Extensions.** The FOIA allows that under unusual circumstances, a FOIA can extend the twenty-day time limit and **one ten (10) business days** extension can be granted for the following justifiable reasons: (1) the need to search for and collect records from separate offices; (2) the need to examine a voluminous amount of records required by the request; and (3) the need to consult with another agency or agency business line). This statutory 10-day extension of time can only be granted once. The proposed fee assurance letter, fee determination sheet and credit card form (GSA Form 3602B) must be submitted to the FOIA Requester Service Center within six (6) business days of receiving the request.
 - **Negotiated Extensions.** The SME will notify the FOIA Requester Service Center if they will need additional time (beyond the original 20-business day

and 10-business day extension) to respond to the request. Once notified, the FOIA Requester Service Center will notify the requester via email to negotiate a new due date. In order to make the negotiated due date official, the requester must concur/approve via email. The proposed negotiated due date letter must be submitted to the FOIA Requester Service Center within six (6) business days of receiving the request or four (4) business days of the extension due date.

- Notify the FOIA Requester Service Center, five (5) calendar days prior to due date, if they are unable to meet the due date and need additional time to complete the collect, review, and/or coordination of the draft response package.
- Review, verify and validate that the final responsive documents are complete and without errors.
- Draft the proposed response letter in the approved FOIA Requester Service Center format – Templates will be provided by the FOIA Requester Service Center.
- Upload the responsive documents into FOIA Online (both Redacted and Un-redacted Versions). This step must occur at least two (2) business days prior to the FOIA due date.
- Notify the FOIA Requester Service Center when the response has been completed and uploaded to FOIA Online and is ready for the final review and coordination.

KEY POLICIES AND REFERENCE MATERIALS:

1. **28 C.F.R. Part 16 – Code of Federal Regulations**; Title 28 - Judicial Administration; Part 16 – Production or Disclosure of Material or Information; Subpart A - Procedures for Disclosure of Records Under the Freedom of Information Act (July 01, 2013)
2. The Department of Justice Guide to the Freedom of Information Act, website <http://www.justice.gov.oip/doj-guide-freedom-information-actsite>
3. Freedom of Information Act Memorandum - Implementation of Changes Delegated Authority to Release or Deny FOIA Information (December 18, 2012)
4. ADM 5450.161 – GSA Delegation of Authority – FOIA Delegation of Authority (November 16, 2012)
5. GSA FOIA Desktop Manual (September 2015)
6. FOIA.GOV <http://www.foia.gov>
7. FOIA Online <https://foiaonline.regulations.gov/foia/gsa>
8. FOIA Online Helpdesk (844) 238-7744