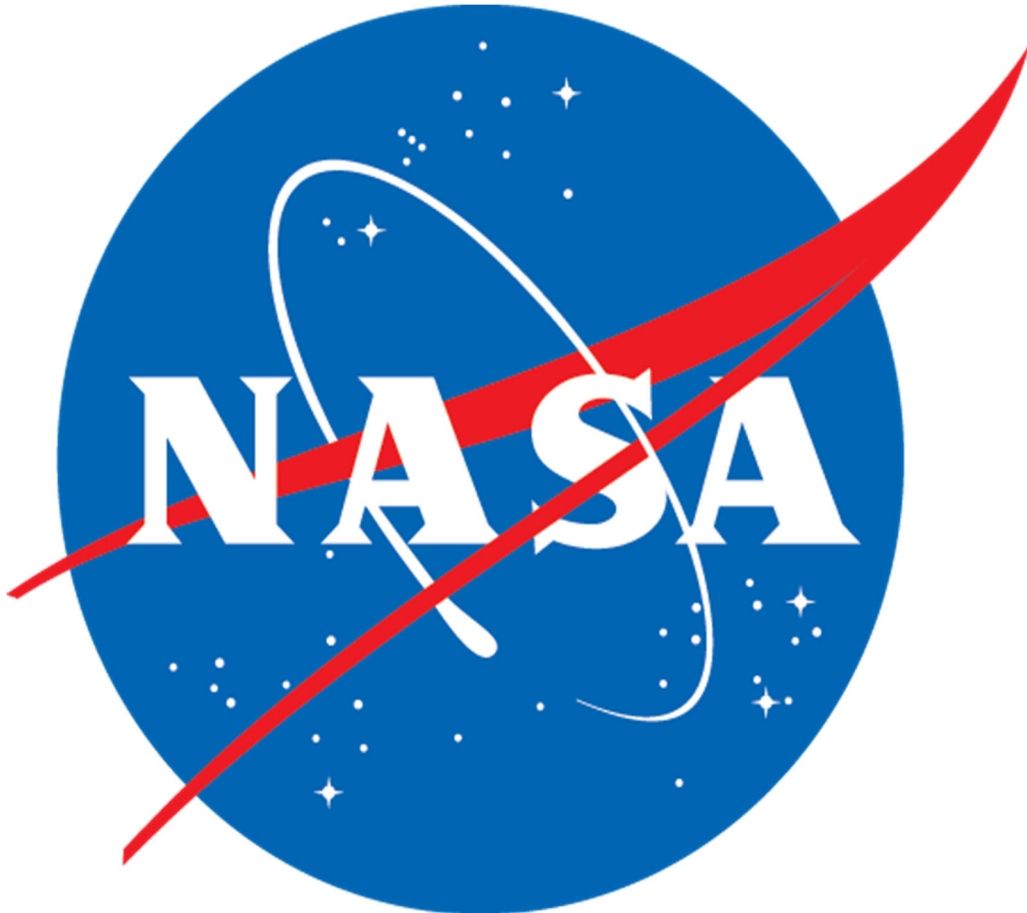


National Aeronautics and Space Administration



2021 CHIEF FOIA OFFICER REPORT

Mr. Marc Etkind
Chief FOIA Officer
Associate Administrator
Office of Communications

Section 1: Steps Taken to Apply the Presumption of Openness

The guiding principle underlying DOJ's FOIA Guidelines is the presumption of openness.

Please answer the following questions in order to describe the steps your agency has taken to ensure that the presumption of openness is being applied to all decisions involving the FOIA. You may also include any additional information that illustrates how your agency is working to apply the presumption of openness.

A. FOIA Leadership

1. The FOIA requires each agency to designate a Chief FOIA Officer who is a senior official at the Assistant Secretary or equivalent level. See 5 U.S.C. § 552(j)(1) (2018). Is your agency's Chief FOIA Officer at this level?

ANSWER: Yes

2. Please provide the name and title of your agency's Chief FOIA Officer.

ANSWER: Mr. Marc Etkind, Associate Administrator for Communications

B. FOIA Training

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.

ANSWER: The NASA Principal Agency FOIA Officer (hereinafter referred to as the Principal FOIA Officer) receives training information from ASAP and OIP and distributes that information to staff so they may attend. The Principal FOIA officer also monitors Court Opinions for all FOIA litigation and provides the opinions to staff to further their awareness of court decisions. When necessary, the Principal FOIA Officer also holds meetings to discuss with staff new procedures developed in accordance with Court precedence.

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?

ANSWER: Yes.

5. If yes, please provide a brief description of the type of training attended or conducted and the topics covered.

ANSWER: Due to the Covid-19 pandemic, the in-person training classes for which NASA FOIA staff had registered – both ASAP and DOJ offerings – were cancelled. However, staff did attend some of the virtual trainings later offered by ASAP and DOJ. In addition, the Principal FOIA Officer held quarterly video conferences with NASA’s FOIA professionals to discuss recent guidance issued by DOJ, any recent case law or remands of administrative appeal decisions affecting the handling of NASA’s FOIA cases, and ways to improve NASA’s FOIA processes to comply with these factors.

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.

ANSWER: 50% of NASA’s FOIA staff attended some virtual FOIA training during this reporting period. The other 50% attended the quarterly meetings held by the Principal FOIA Officer referenced in the previous response.

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.

ANSWER: Most of the agency’s FOIA professionals have attended an outside training, a DOJ training, and/or in-house training.

C. Outreach

8. Did your FOIA professionals engage in any outreach or dialogue with the requester community or open government groups regarding your administration of the FOIA? Please describe any such outreach or dialogue, and, if applicable, any specific examples of how this dialogue has led to improvements in your agency’s FOIA administration.

ANSWER: NASA’s FOIA professionals routinely engage in dialogue with the requesters to explain NASA’s FOIA processes, assist requesters with clarifying their FOIA requests, and to assist requesters with any problems they may encounter during the FOIA process. Additionally, NASA has a strong and robust Communications Office with Public Affairs Officers embedded in all NASA programs to answer all inquiries they receive from the media related to NASA programs/missions. NASA also has a Public Inquiry unit that answers thousands of inquiries it receives from the public via mail, email, or phone calls. The customer service that NASA’s Office of Communications provides to the public in response to any inquiry is an essential part of the agency’s open government activities. These services are key activities that help reduce the number of FOIA requests NASA receives.

D. Other Initiatives

9. Describe any efforts your agency has undertaken to inform non-FOIA professionals of their obligations under the FOIA. In particular, please describe how often and in what formats your agency provides FOIA training or briefings to non-FOIA staff.

ANSWER: The Office of General Counsel makes a presentation about FOIA at the agency's New Employee Orientation Training sessions. Additionally, on an annual basis, the Principal FOIA Officer provides training sessions for NASA Program Offices. For 2020, the Principal FOIA Officer provided three training sessions for program offices at NASA Headquarters.

10. Optional -- If there are any other initiatives undertaken by your agency to ensure that the presumption of openness is being applied, please describe them here.

ANSWER: The National Aeronautics and Space Act mandates that NASA disseminate to the public as much information as possible concerning its missions and scientific findings. In this regard, the agency has a robust Office of Communications with policy governing the release of information to the public, which is defined as information in any form provided to news and information media outlets, especially information that has the potential to generate significant media, public interest, or other inquiries. Examples include, but are not limited to, press releases, media advisories, news features, web postings, and responses to public inquiries. All of these efforts ensure the presumption of openness.

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

DOJ's FOIA Guidelines emphasize that "[a]pplication of the proper disclosure standard is only one part of ensuring transparency. Open government requires not just a presumption of disclosure, but also an effective system for responding to FOIA requests." It is essential that agencies effectively manage their FOIA program.

Please answer the following questions to describe the steps your agency has taken to ensure that the management of your FOIA program is effective and efficient. You should also include any additional information that that describes your agency's efforts in this area.

1. For Fiscal Year 2020, what was the average number of days your agency reported for adjudicating requests for expedited processing? Please see Section VIII.A. of your agency's Fiscal Year 2020 Annual FOIA Report.

ANSWER: 10

2. If your agency's average number of days to adjudicate requests for expedited processing was above ten calendar days, according to Section VIII.A. of your agency's Fiscal Year 2020

Annual FOIA Report, please describe the steps your agency will take to ensure that requests for expedited processing are adjudicated within ten calendar days or less.

ANSWER: N/A

3. During the reporting period, did your agency conduct a self-assessment of its FOIA program? If so, please describe the methods used, such as reviewing Annual Report or raw data, using active workflows and track management, reviewing and updating processing procedures, etc.

- Note: In September 2017, OIP released a FOIA Self-Assessment Toolkit as a resource for agencies conducting a self-assessment of their FOIA program. The Toolkit is available on OIP's website for all agencies to use.

ANSWER: On a weekly basis the Principle FOIA Officer conducts assessments of NASA's pending cases and provides a report to the agency's Chief FOIA Officer and other management officials. When a request is reported on several weekly reports, the Principle FOIA Officer takes steps to locate bottlenecks and assist with moving those cases forward in a more timely fashion. In January 2020, NASA's FOIA Analyst for Headquarters(HQ) retired and it took five months to backfill that position.. The HQ FOIA office receives the highest number of FOIA requests in the agency, so this five-month vacancy increased the number of NASA's backlogged FOIA requests for 2020. To help mitigate this issue, the Principle FOIA Officer distributed cases from the HQ FOIA Office to FOIA Officers at other NASA centers until the HQ position was filled.

4. Standard Operating Procedures (SOPs): Having SOPs can improve the consistency and quality of an agency's FOIA process. In addition, describing an agency's standard practices for handling FOIA requests on agency FOIA websites can help requesters better understand how their request will be handled.

- a) Does your agency have SOPs that outline general processes for handling FOIA requests and appeals?

ANSWER: No.

- b) If not, does your agency have plans to create FOIA SOPs?

ANSWER: No.

- c) If yes, how often are they reviewed/updated to account for changes in law, best practices, and technology?

ANSWER: N/A.

- d) In addition to having SOPs, does your agency post or otherwise describe your standard processes for handling requests on your website?

ANSWER: NASA has guidance on general information on its website on “how to submit a FOIA request” and other essential information a requester may need to submit a request to NASA. The website can be accessed at <https://www.nasa.gov/FOIA/guidance.html>.

5. The FOIA Improvement Act of 2016 requires additional notification to requesters about the services provided by the agency’s FOIA Public Liaison. Please provide an estimate of the number of times requesters sought assistance from your agency’s FOIA Public Liaison during FY 2020 (please provide a total number or an estimate of the number).

ANSWER: NASA’s Chief FOIA Public Liason received 18 requests for assistance and/or disputes from requesters regarding their FOIA requests. All 18 requests/disputes were resolved without further issues being raised to agency’s administrative appeal’s unit at NASA’s OGC or OGIS.

6. Does your agency frequently receive common categories of first-party requests? If so, please describe the types of requests and if your agency has explored establishing alternative means of access to these records outside of the FOIA process?

ANSWER: Yes, NASA receives some first-party requests. Most requests seek information related to accidents, personnel matters, or investigations conducted by protective services. Since NASA processes these types of requests under both the Privacy Act and FOIA, we have not established alternative means of access to these types of records outside of the FOIA process.

7. The FOIA Improvement Act of 2016 required all agencies to update their FOIA regulations within 180 days. Has your agency updated its FOIA regulations in accordance with the FOIA Improvement Act of 2016? If not, what is your agency's plan to update your regulations?

ANSWER: Yes, NASA updated its regulations in 2019.

8. Please explain how your agency worked to mitigate the impact of the COVID-19 pandemic on FOIA processing. Examples could include, but are not limited to: altering workflows, implementing new technology, providing notices and instructions or otherwise communicating directly with requesters.

ANSWER: The NASA FOIA office updated its website to alert FOIA requesters of the inability to retrieve FOIA requests via facsimile during the COVID-19 pandemic. The FOIA office also established an agreement with NASA mailroom personnel to be notified of new FOIA requests sent via mail. The FOIA Officer can either retrieve the requests in person or mailroom staff will scan them into pdf and email them to the FOIA Officer. Additionally, mailroom staff agreed to print and mail correspondence to requesters when necessary in lieu of FOIA staff traveling to the office to do so.

9. Optional -- Please describe:

Best practices used to ensure that your FOIA system operates efficiently and effectively
Any challenges your agency faces in this area

ANSWER: The Principle FOIA officer frequently reviews and meets with FOIA Analysts about their FOIA cases and discusses strategies to improve the FOIA program, reduce the FOIA backlog, and speed up the processing of requests. This sometimes requires additional discussions with FOIA requesters to explain the challenges faced by FOIA Analysts in processing a backlogged request. Sometimes requesters agree to narrow the scope of their request based on these conversations.

- Any challenges your agency faces in this area

ANSWER: One of the biggest challenges NASA faces is that the nature of its work is inherently collaborative with other agencies, state/local governments, and companies. Thus, records responsive to NASA FOIA requests frequently include those requiring extensive consultations with numerous other stakeholders. These FOIA requests are extremely time consuming and pose a great challenge to NASA, especially when voluminous records are involved.

Section III: Steps Taken to Increase Proactive Disclosures

The Department of Justice has long focused on the need for agencies to work proactively to post information online without waiting for individual requests to be received.

Please answer the following questions to describe the steps your agency has taken to increase the amount of material that is available on your agency websites. In addition to the questions below, you should also describe any additional steps taken by your agency to make and improve proactive disclosures of information.

1. Provide examples of any material that your agency has proactively disclosed during the past reporting year, including records that have been requested and released three or more times in accordance with 5 U.S.C. § 552(a)(2)(D). Please include links to these materials as well.

Answer: The agency proactively posts the SmartPay Card Holder's list and FOIA logs for each Fiscal Year.

The list for SmartPay Card Holders can be accessed on the NASA Shared Services Center (NSSC) FOIA reading room at:

https://answers.nssc.nasa.gov/app/answers/detail/a_id/6337

The FOIA Logs can be accessed on the agency's HQ FOIA reading room at:

<https://www.nasa.gov/FOIA/elibrary>

Additionally, NASA has one of the most robust uses of social media to disseminate information of interest to the public. As explained in Section D, Question 10 above, NASA's

Office of Communications routinely releases information to the public, especially information that has the potential to generate significant media, public interest, or other inquiry. Our program offices regularly post documents related to mission updates, launches, etc., and this information is further publicized through tweets, program-sponsored events, interviews, etc. The Public Inquiries Office, which receives thousands of requests for information from the members of the public, also regularly revises its website to provide direct links to material of interest to the public.

2. Beyond posting new material, is your agency taking steps to make the posted information more useful to the public, especially to the community of individuals who regularly access your agency's website?

ANSWER: Yes, the scientific community, media requesters, and others continually use our website to view new events and published information. As explained in Section D, Question 10, NASA has a statutory mandate to post as much information concerning its missions and scientific findings as possible. For this reason, NASA provides a vast amount of data on its websites for all types of groups (scientific, media, researchers, students, vendors, etc.) which is continually updated.

3. If yes, please provide examples of such improvements. In particular, please describe steps your agency is taking to post information in open, machine-readable, and machine-actionable formats, to the extent feasible. If not posting in open formats, please explain why and note any challenges.

ANSWER: All of NASA's Mission Directorates continually update their public websites with new information. NASA is a leader among federal agencies in federating open data to citizens and has a robust infrastructure for internet-facing open data management. NASA has catalogued a comprehensive data inventory available at data.nasa.gov that allows search and access to over 30k datasets, and the list continues to grow as the Agency implements the Evidence-Based Policymaking Act under the purview of the NASA Data Governance Council. In an effort to make NASA data as interoperable as possible, NASA established api.nasa.gov which provides machine-readable access to data. NASA's events can be viewed at www.nasa.gov by clicking on any topics of interest or by clicking on NASA Audiences (Media, Educators, Students) to view the most updated event/information available to the public. While the examples are far too many to provide in this response, one that can be listed is the Science Mission Directorate. This division posts its latest science news, podcasts, grant award announcements, publications, and final reports on research results for the public and/or researchers at science.nasa.gov.

4. Optional -- Please describe:

- Best practices used to improve proactive disclosures

ANSWER: See the response in question 1 under this section.

- Any challenges your agency faces in this area

ANSWER: N/A

Section IV: Steps Taken to Greater Utilize Technology

A key component of FOIA administration is using technology to make information more accessible. In addition to using the internet to make proactive disclosures, agencies should also be exploring ways to utilize technology in responding to requests.

Please answer the following questions to describe how your agency is utilizing technology to improve its FOIA administration and the public's access to information. You should also include any additional information that that describes your agency's efforts in this area.

1. Please briefly describe the types of technology your agency uses to support your FOIA program. In addition, please highlight if your agency is leveraging or exploring any new technology that you have not previously reported. If so, please describe the type of technology.

ANSWER: NASA uses FOIAXpress to track its FOIA workflow. We also use SharePoint to store our FOIA request files which allows all relevant personnel to collaborate on records received and processed in response to FOIA requests. In addition, NASA uses its Office of Information Technology to conduct FOIA searches Capstone officials' records/email accounts. This has greatly helped to streamline the administration of our FOIA program. NASA also acquired in December 2020 one license for the Electronic Document Review extension of the FOIAXpress software. This extension will help us to more easily manage and de-duplicate voluminous records when the need arises.

2. 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 ensure it addresses the elements noted in the guidance?

ANSWER: Yes. NASA updated its website and added updated FOIA guidance during this year.

3. Did your agency successfully post all four quarterly reports for the Fiscal Year 2020?

ANSWER: Yes

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

ANSWER: N/A

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

ANSWER: <https://www.nasa.gov/FOIA/annual-reports.html>

6. Optional -- Please describe:

- Best practices used in greater utilizing technology

ANSWER: N/A

- Any challenges your agency faces in this area

ANSWER: One challenge NASA faces is de-duplicating voluminous records and emails. While NASA obtained one license for software to assist with this challenge, we also continue to evaluate whether a more robust e-discovery or document management tool is necessary.

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

The Department of Justice has emphasized the importance of improving timeliness in responding to requests. This section of your Chief FOIA Officer Report addresses both time limits and backlog reduction. Backlog reduction is measured both in terms of numbers of backlogged requests or appeals and by looking at whether agencies closed their ten oldest requests, appeals, and consultations.

For the figures required in this Section, please use the numbers contained in the specified sections of your agency's FY 2019 and 2020 Annual FOIA Reports.

A. Simple Track

Section VII.A of your agency's Annual FOIA Report, entitled "FOIA Requests – Response Time for All Processed Requests," includes figures that show your agency's average response times for processed requests. For agencies utilizing a multi-track system to process requests, there is a category for "simple" requests, which are those requests that are placed in the agency's fastest (non-expedited) track, based on the low volume and/or simplicity of the records requested.

1. Does your agency utilize a separate track for simple requests?

ANSWER: Yes. NASA utilizes a multi-track system and has a separate track for simple requests.

2. If your agency uses a separate track for simple requests, according to Annual FOIA Report section VII.A, was the agency overall average number of days to process simple requests twenty working days or fewer in Fiscal Year 2020?

ANSWER: Yes.

3. Please provide the percentage of requests processed by your agency in Fiscal Year 2020 that were placed in your simple track. Please use the following calculation based on the data from your Annual FOIA Report: (processed simple requests from Section VII.C.1) divided by (requests processed from Section V.A.) x 100.

ANSWER: 39.7%

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?

ANSWER: N/A

B. Backlogs

Section XII.A of your agency's Annual FOIA Report, entitled "Backlogs of FOIA Requests and Administrative Appeals" shows the numbers of any backlogged requests or appeals from the fiscal year. You should refer to these numbers from your Annual FOIA Reports for both Fiscal Year 2019 and Fiscal Year 2020 when completing this section of your Chief FOIA Officer Report.

BACKLOGGED REQUESTS

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

ANSWER: No.

6. If not, according to Annual FOIA Report Section V.A, did your agency process more requests during Fiscal Year 2020 than it did during Fiscal Year 2019?

ANSWER: No.

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

- 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.
- Any other reasons – please briefly describe or provide examples when possible.

ANSWER: NASA received several FOIA requests that sought voluminous amounts of records. Additionally, while dealing with these voluminous requests, NASA’s lost its HQ FOIA Analyst in January 2020 which caused a backlog of cases for requests submitted to HQ. While other FOIA Analysts assisted with the backlog caused by loss of staff, the unit could not handle the heavy load and close cases more timely. Therefore, NASA’s backlog increased in FY 2020.

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

ANSWER: 4.6%

BACKLOGGED APPEALS

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

ANSWER: Yes

10. If not, according to section VI.A of the Annual FOIA Report, did your agency process more appeals during Fiscal Year 2020 than it did during Fiscal Year 2019?

ANSWER: N/A

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

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

ANSWER: N/A

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

ANSWER: N/A

C. Backlog Reduction Plans

13. In the 2020 guidelines for Chief FOIA Officer Reports, any agency with a backlog of over 1000 requests in Fiscal Year 2019 was asked to provide a plan for achieving backlog reduction in the year ahead. Did your agency implement a backlog reduction plan last year? If so, describe your agency's efforts in implementing this plan and note if your agency was able to achieve backlog reduction in Fiscal Year 2020?

ANSWER: NASA did not implement a backlog reduction plan last year because its backlog in Fiscal Year 2019 was less than 1,000 requests.

14. If your agency had a backlog of more than 1,000 requests in Fiscal Year 2020, please explain your agency's plan to reduce this backlog during Fiscal Year 2021.

ANSWER: N/A. NASA's backlogged cases reported in the 2020 Annual Report are less than 1,000.

D. Status of Oldest Requests, Appeals, and Consultations

Section VII.E, entitled "Pending Requests – Ten Oldest Pending Requests," Section VI.C.(5), entitled "Ten Oldest Pending Administrative Appeals," and Section XII.C., entitled "Consultations on FOIA Requests – Ten Oldest Consultations Received from Other Agencies and Pending at Your Agency," show the ten oldest pending requests, appeals, and consultations. You should refer to these numbers from your Annual FOIA Reports for both Fiscal Year 2019 and Fiscal Year 2020 when completing this section of your Chief FOIA Officer Report.

OLDEST REQUESTS

15. In Fiscal Year 2020, did your agency close the ten oldest pending perfected requests that were reported in Section VII.E. of your Fiscal Year 2019 Annual FOIA Report?

ANSWER: 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 2019 Annual FOIA Report. If you had fewer than ten total oldest requests to close, please indicate that.

ANSWER: In Fiscal Year 2020, NASA closed 8 of the 10 oldest pending FOIA requests that were reported in the Fiscal Year 2019 Annual FOIA Report.

17. Beyond work on the ten oldest requests, please describe any steps your agency took to reduce the overall age of your pending requests.

ANSWER: One way the Principle FOIA Officer works to reduce the age of pending requests is to re-distribute pending cases from centers experiencing heavy work volumes to centers with lesser caseloads. However, due to the loss of the HQ FOIA Analyst (the office that receives the highest number of requests), the receipt of several very complex FOIA requests with voluminous records, and the inability to procure any document management software until December 2020, it was challenging to reduce the overall age of NASA's pending requests.

TEN OLDEST APPEALS

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

ANSWER: Yes.

19. If no, please provide the number of these appeals your agency was able to close by the end of the fiscal year, as listed in Section VII.C.(5) of your Fiscal Year 2019 Annual FOIA Report. If you had fewer than ten total oldest appeals to close, please indicate that.

ANSWER: N/A

20. Beyond work on the ten oldest appeals, please describe any steps your agency took to reduce the overall age of your pending appeals.

ANSWER: NASA's Office of General Counsel received 20 FOIA Appeals in FY 2020. That office closed all of those appeals during the fiscal year.

TEN OLDEST CONSULTATIONS

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

ANSWER: Yes.

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 2018 Annual FOIA Report. If you had fewer than ten total oldest consultations to close, please indicate that.

ANSWER: N/A

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

23. Briefly explain any obstacles your agency faced in closing its ten oldest requests, appeals, and consultations from Fiscal Year 2019.

ANSWER: Several FOIA requests NASA received seek voluminous records requiring many consultations with other agencies.

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.

ANSWER: 19-HQ-F-00496 was received on April 29, 2019. Outstanding consultations were initially sent to the National Oceanic and Atmospheric Administration (NOAA) and U.S. Forest Service (USFS) on May 6, 2020. Our last contact with those entities was on September 17, 2020 when we advised that we will refer to them the information falling under their purview and release the relevant records to the requester redacting the information pending their review.

19-HQ-F-00592 was received on June 13, 2019. Outstanding consultations were initially sent to the Department of Commerce and NOAA on August 25, 2020. Our last contact with those entities was on 1/13/2021. Both have indicated they will have their responses to us towards the end of January.

25. If your agency did not close its ten oldest pending requests, appeals, or consultations, please provide a plan describing how your agency intends to close those “ten oldest” requests, appeals, and consultations during Fiscal Year 2021.

ANSWER: As previously explained, some of the challenges NASA faced in Fiscal Year 2020 – the loss of personnel in NASA’s busiest FOIA Office, the receipt of several requests involving voluminous records and numerous consultations – contributed to an increase in NASA’s FOIA backlog and the inability to close two of its oldest requests from Fiscal Year 2019. NASA plans to close those two particular requests in the second quarter of Fiscal Year 2021. We believe simply having the FOIA Office’s vacant position backfilled will greatly help us to close the 10 oldest requests reported for Fiscal Year 2020. In addition, our new document management software license will help us to more efficiently manage voluminous records and reduce the time spent organizing and deduplicating them. In the limited time we’ve had to use this product, we’ve already noted what once took weeks of work, can now be accomplished in a few days or less. We believe this will positively impact our ability to close the 10 oldest cases. Finally, we also implemented new internal guidance for working with entities that are unresponsive to consultation requests. We anticipate this will help us to more timely close requests that are pending due to outstanding consultations.

F. Success Stories

Out of all the activities undertaken by your agency since March 2020 to increase transparency and improve FOIA administration, please briefly describe here at least one success story that you would like to highlight as emblematic of your agency's efforts. The success story can come from any one of the five key areas, but should not be something that you have reported in a prior year. As noted above, OIP will highlight these agency success stories during Sunshine Week. 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.

ANSWER: NASA continues to go through significant organizational transformation. As part of this transformation, the agency is planning to consolidate FOIA business processes in order to achieve continual success in the program. The majority of FOIA Officers are located at Headquarters, and the few FOIA Officers who must remain at their respective Centers outside of Headquarters now work closely with the Principal FOIA Officer in charge of managing the agency's FOIA program. This has made the oversight of business processes much easier. Additionally, the use of the IT Division to conduct searches for NASA's Capstone Officials not only streamlined that search process, but also reduced the appearance of any conflict of interest since those officials are no longer involved in searches of their own emails and other records.