



OFFICE of GOVERNMENT INFORMATION SERVICES

May 17, 2016—sent via email to [REDACTED]

Ms. Kimberly Walton
Assistant Administrator
Office of Civil Rights & Liberties, Ombudsman and Traveler Engagement
Transportation Security Administration
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Arlington, VA 20598

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Dear Ms. Walton:

We again thank you for the Transportation Security Administration (TSA) participating in a compliance assessment of the agency's Freedom of Information Act (FOIA) program by the Office of Government Information Services (OGIS).

As noted in our transmittal letter and in our report, OGIS follows up with agencies 120 days after the assessment report is published. The goal of following up with you is to understand what actions the agency took to address our recommendations for improving the office's administration of FOIA.

Attached for your review and response is a response form listing OGIS recommendations to the TSA. Please provide us with your response within 60 business days from the date of this letter. The response will be posted on the OGIS website.

We are, of course, available to discuss the follow-up questions and we welcome your comments.

We hope the follow-up questions will assist TSA in implementing its FOIA responsibilities. If you have any questions, please do not hesitate to contact Kirsten Mitchell at 202-741-5775 or at kirsten.mitchell@nara.gov.

Sincerely,

NIKKI GRAMIAN
Acting Director

cc: Karen Neuman, Chief FOIA Officer, Department of Homeland Security (DHS)
James Holzer, Deputy Chief FOIA Officer, DHS
Lizzy Gary, Director of Traveler Engagement, TSA

Enclosure





Follow-up to Compliance Assessment of the Freedom of Information Act (FOIA) program at the
Transportation Security Administration (TSA) Department of Homeland Security

Date: May 17, 2016

Date Report Issued: January 11, 2016

The OPEN Government Act of 2007, which established the Office of Government Information Services (OGIS), codified at 5 U.S.C. § 552(h), mandates the office with reviewing agencies' Freedom of Information Act (FOIA) policies, procedures and compliance. We assessed the FOIA program at the Transportation Security Administration (TSA) and issued a report on January 11, 2016. As part of our assessment program, we follow up with agencies 120 days later to understand what actions the agency took to address our recommendations for improving the administration of FOIA.

Finding 1: Weak management controls are affecting the FOIA process.

Recommendation: Monitor the number of cases closed and volume of pages reviewed by each processor and set data-driven goals to reduce the backlog and increase timeliness.

Agency Response:

Recommendation: Develop a standard operating procedure (SOP) for the entire FOIA process.

Agency Response:

Recommendation: Continue to work with the Office of Chief Counsel (OCC) to reduce the number of requests OCC reviews.

Agency Response:

Finding 2: Lack of adoption of FOIA tracking system is affecting efficiency and creating duplication of efforts.

Recommendation: Fully implement the tracking and processing system.

Agency Response:

Recommendation: Ensure all information in the tracking and processing system is accurate and complete.

Agency Response:

Recommendation: Continue discussions with SSI office regarding resolving inefficiencies and duplication of efforts.

Agency Response:

Recommendation: Work with DHS Privacy Office to find a solution that allows records to be processed and released in their native format.

Agency Response:

Recommendation: Continue to refine the online tracking tool so that the estimated date of completion is more accurate.

Agency Response:

Finding 3: Greater emphasis on customer service and communication is needed.

Recommendation: Proactively communicate with requesters and alert them to the status of their requests.

Agency Response:

Recommendation: Follow DOJ guidance and DHS practice on the use of “still interested” letters.

Agency Response:

Recommendation: Add a brief explanation of the exemptions to the FOIA response checklist.

Agency Response:

Recommendation: Add language to the standard email which acknowledges request (highlight the checklist and the need for response, and include contact information for office.)

Agency Response: