Chief FOIA Officer Report
National Aeronautics and Space Administration (NASA)
FY 10

I. Steps taken to apply the presumption of Openness.

1. Describe the steps your agency has taken to ensure that the presumption of openness is being applied to all decisions involving the FOIA. To do so, you should answer the questions listed below and then include any additional information you would like to describe how your agency is working to apply the presumption of openness.

   a. Describe how the President's FOIA Memorandum and the Attorney General's FOIA Guidelines have been publicized throughout your agency.

      Copies of the President's Memorandum and the Attorney General's guidelines have been provided to all FOIA Public Liaison's Officers and Legal Offices within NASA.

   b. What training has been attended and/or conducted on the new FOIA Guidelines?

      FOIA staff have attended training provided at the American Society of Access Professionals (ASAP) National Training Conference (February 7-10, 2010), as well as the Department of Justice FOIA training conferences.

   c. How has your agency created or modified your internal guidance to reflect the presumption of openness?

      NASA has provided guidance and direction to the FOIA staff reflecting the presumption of openness. The NASA FOIA staff is working with program managers as well as FOIA attorneys to implement pro-active disclosure of Agency documents when appropriate.

   d. To what extent has your agency made discretionary releases of otherwise exempt information?

      NASA officials consider releasing otherwise exempt information when it has been determined that the release would not be detrimental to the Agency.

   e. What exemptions would have covered the information that was released as a matter of discretion?

      Typically, the information could be withheld under Exemption (b)(5)

   f. How does your agency review records to determine whether discretionary releases are possible?

Following review by the FOIA staff, the information is submitted to the Office of General Counsel (OGC) for their review. Generally, discussions between the FOIA office, OGC, as well as the program office with cognizance over the documents, occur before a discretionary release determination is made.

g. Describe any other initiatives undertaken by your agency to ensure that the presumption of openness is being applied.

NASA continues to update websites and work with the public to provide substantial timely information about various initiatives and programs. NASA is a recognized leader in a variety of communications, including blog and twitter initiatives. The various initiatives are well received by the public and regularly provide informative information about the Agency. The constant updates to the websites continue to augment the FOIA program by providing information that otherwise would be requested under the FOIA.

2. Report the extent to which the numbers of requests where records have been released in full and the numbers of requests where records have been released in part has changed from those numbers as reported in your previous year's Annual FOIA Report.

	FY 09	FY 10
Full Grant	368	413
Released in Part	339	320

II. Steps taken to ensure that your agency has an effective system in place for responding to requests.

As the Attorney General emphasized in his FOIA Guidelines, "[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." Describe here the steps your agency has taken to ensure that your system for responding to requests is effective and efficient. This section should include a discussion of how your agency has addressed the key roles played by the broad spectrum of agency personnel who work with FOIA professionals in responding to requests, including, in particular, steps taken to ensure that FOIA professionals have sufficient IT support. To do so, answer the questions below and then include any additional information that you would like to describe how your agency ensures that your FOIA system is efficient and effective.

a. Do FOIA professionals within your agency have sufficient IT support?

Beginning in FY 11, all NASA FOIA staff is using a web-based FOIA tracking system to track all FOIA requests within the Administration. This allows the FOIA staff to track requests, cradle-to-grave, as well providing a collaborative system to

identify similar and duplicate requests. The FOIA staff is currently transitioning toward the use of redaction software as well.

b. Describe how your agency's FOIA professionals interact with your Open Government Team.

   The Open Government Team meets with the Principal Agency FOIA Officer as well as other FOIA staff to discuss progress in the program as well as ensure awareness of new initiatives.

c. Describe the steps your agency has taken to assess whether adequate staffing is being devoted to responding to FOIA requests.

   Due to concerns regarding a FOIA backlog, the FOIA staff began weekly and monthly progress reporting on all outstanding FOIA cases. Offices with backlogs were identified and staffing issues as well as processing issues were immediately addressed. Progress and mitigation reports were made to high-level officials at monthly meetings. Offices with no backlog have provided processing support and continue to do so until adequate FOIA staffing is in place and all FOIA backlogs across the Administration are eliminated.

d. Describe any other steps your agency has undertaken to ensure that your FOIA system operates efficiently and effectively.

   NASA is planning a FOIA training day following a national FOIA conference, specifically designed to address internal FOIA processing issues and ensure collaboration and continuity across the program.

III. Steps taken to increase proactive disclosure.

Both the President and Attorney General focused on the need for agencies to work proactively to post information online without waiting for individual requests to be received.
Describe here the steps your agency has taken to increase the amount of material that is available on your agency website, including providing examples of proactive disclosures that have been made since issuance of the new FOIA Guidelines. In doing so, answer the questions listed below and describe any additional steps taken by your agency to make proactive disclosures of information.

a. Has your agency added new material to your agency website since last year?

   Yes. The NASA FOIA Office is located within the Office of Public Affairs, which has received accolades for the many proactive approaches to providing the public with Agency information. NASA remains one of the top-rated Agencies for advancement in the use of technology, providing proactive releases of information on the website, through Public Affair channels in new releases, blogs, by tweets, etc.

b. What types of records have been posted?

NASA posts a variety of records from current hot topics, records that provide background information on events in the news, Agency oversight, and new initiatives.

c. Give examples of the types of records your agency now posts that used to be available only by making a FOIA request for them.

As a recognized leader in communications, NASA consistently posts Agency documents and information that are of value and interest to the public. In an effort to continue our best practice approach to customer satisfaction, NASA posts contracts as well as other documents that are typically requested under the FOIA.

d. What system do you have in place to routinely identify records that are appropriate for posting?

Identifying and posting Agency records is determined when there is anticipation of public interest in the documents; following newsworthy events and following discussions among the FOIA community and program staff.

e. How do you utilize social media in disseminating information?

Social media has become a key tool for an informed public. NASA's use of social media allows the Agency to engage with the public, answering their questions and pointing them to where they can find publicly available information on the NASA website (www.nasa.gov), which increases the dissemination of information and ultimately reduces the number of FOIA requests. NASA is a recognized leader in the Federal Government for the dissemination of information utilizing social media through blogs, tweets, etc. NASA has recently been recognized as a leader in its use of digital media to communicate to the public and was ranked number one of 100 public sector organizations in the L2 Digital IQ Index. NASA has recently enabled embedded videos within stories on the websites to be accessible to users on various media devices.

The number of subscribers to the various components of NASA's social media continues to grow. As of the beginning of February 2011, NASA reported 57.204 subscribers to NASA YOUTUBE; 4,543,147 visitors; and 18,258,649 views of all videos. NASA FACEBOOK page has 290,631 fans (rapidly increasing); 13,687 post feedback; and 35,669 visits per week. NASA TWITTER has 784.642 followers. These numbers continue to increase at a fairly rapid pace.

f. Describe any other steps taken to increase proactive disclosures at your agency.

NASA continues to work with a variety of program staff to ensure proactive disclosure of Agency information is made on a regular basis. Current and newsworthy events are routinely updated and posted on the Agency's Bulletin News site daily. The staff of the Office of News and Multimedia publishes media advisories to alert the public to events of interest within the NASA community.

IV. Steps taken to greater utilize technology.

A key component of the President's FOIA Memorandum was the direction to "use modern technology to inform citizens about what is known and done by their Government." In addition to using the internet to make proactive disclosures, agencies should also be exploring ways to utilize technology in responding to requests. In 2010 agencies reported widespread use of technology in handling FOIA requests. For this section of your Chief FOIA Officer Report for 2011, please answer the following more targeted questions:

1. Electronic receipt of FOIA requests:

   a. What proportion of the components within your agency which receive FOIA requests have the capability to receive such requests electronically?

      All FOIA Center offices receive requests electronically.

   b. To what extent have you increased the number of components doing so since the filing of your last Chief FOIA Officer Report?

      Not applicable since all FOIA Center offices continue to receive requests electronically.

   c. What methods does your agency use to receive requests electronically?

      Currently, NASA receives requests through our FOIA e-websites.

2. Electronic tracking of FOIA requests:

   a. What proportion of components within your agency which receive FOIA requests have the capability to track such requests electronically?

      All offices track requests electronically.

   b. To what extent have you increased the number of components doing so since the filing of your last Chief FOIA Officer Report?

Previously, offices used a different FOIA database to track requests. All NASA FOIA offices are using one tracking system to track requests electronically.

c. What methods does your agency use to track requests electronically?

NASA FOIA offices use a web-based COTS product from a private vendor.

3. Electronic processing of FOIA requests:

a. What proportion of components within your agency which receive FOIA requests have the capability to process such requests electronically?

All components.

b. To what extent have you increased the number of components doing so since the filing of your last Chief FOIA Officer Report?

Not applicable; all components process requests electronically.

c. What methods does your agency use to process requests electronically?

FOIA staff use computers and electronic redaction software.

4. Electronic preparation of your Annual FOIA Report:

a. What type of technology does your agency use to prepare your agency Annual FOIA Report, i.e., specify whether the technology is FOIA-specific or a generic data-processing system.

NASA uses a web-based FOIA COTS product.

b. If you are not satisfied with your existing system to prepare your Annual FOIA Report, describe the steps you have taken to increase your use of technology for next year.
Not applicable; NASA uses an existing system that meets the DOJ requirements for the Annual Report.

V. Steps taken to reduce backlogs and improve timeliness in responding to requests.

Improvements to timeliness in responding to pending FOIA requests and reductions in backlogs are both ongoing agency efforts. The President and the Attorney General have emphasized the importance of improving timeliness in responding to requests. Section XII of your Annual FOIA Report includes figures that show your agency's backlog of pending requests and administrative appeals for the past two fiscal years. You should refer to those numbers when completing this section of your Chief FOIA Officer Report. In this section you should address the following elements.

1. If your agency has a backlog, report here whether that backlog is decreasing. That reduction should be measured in two ways. First, report whether the number of backlogged requests and backlogged administrative appeals that remain pending at the end of the fiscal year decreased or increased, and by how many, when compared with last fiscal year. Second, report whether your agency closed in Fiscal Year 2010 the ten oldest of those pending requests and appeals from Fiscal Year 2009, and if not, report how many of them your agency did close.

   The overall Agency backlog decreased significantly from FY 2009 to FY 2010. The number pending as of the end of FY 2009 was 278; the number pending as of the end of FY 2010 was 184. The ten oldest requests from FY 2009 were closed in FY 2010.

2. If there **has not been** a reduction in the backlog as measured by either of these metrics, describe why that has occurred. In doing so, answer the following questions and then include any other additional explanation: **NOT APPLICABLE TO NASA**

   a. Is the backlog increase a result of an increase in the number of incoming requests or appeals?
   b. Is the backlog increase caused by a loss of staff?
   c. Is the backlog increase caused by an increase in the complexity of the requests received?
   d. What other causes, if any, contributed to the increase in backlog?

3. Describe the steps your agency is taking to reduce any backlogs and to improve timeliness in responding to requests and administrative appeals. In doing so answer the following questions and then also include any other steps being taken to improve timeliness.

   a. Does your agency routinely set goals and monitor the progress of your FOIA caseload?

      Yes. Our goal is to provide a response to a FOIA request within the statutory timeline.

   b. Has your agency increased its FOIA staffing?

      No. The HQ FOIA Office is currently hiring two staff to backfill two vacant positions to include the HQ FOIA Officer.

   c. Has your agency made IT improvements to increase timeliness?

      Yes. All FOIA staff is using the same COTS tracking system. FOIA staff is also acquiring redaction software.

d. Has your agency Chief FOIA Officer been involved in overseeing your agency's capacity to process requests?

   Yes. The Chief FOIA Officer receives program updates on a routine basis. The Administration is aware of the existing FOIA backlog and the initiative to reduce the backlog.

Spotlight on Success

Out of all the activities undertaken by your agency in this last year to increase transparency, describe here one success story that you would like to highlight as emblematic of your efforts.

The reduction in the Agency backlog is a highlight of the FOIA program. However, overall the NASA FOIA program prospers from the efforts to increase transparency through the use of the numerous types of social media and the educational programs. The combined on-going efforts of the NASA media forums, social media, educational programs, website content updates, news events, etc., are all valuable tools for increased transparency.