

**Chief FOIA Officer Report
Legal Services Corporation
Ronald S. Flagg, Chief FOIA Officer
March 2014**

The Legal Services Corporation (“LSC” or “Corporation”) was established as a private, non-profit corporation by the Legal Services Corporation Act, Pub. L. 93-355 (1974), 42 U.S.C. §§ 2996 *et seq.* Section 2996(g) provides, however, that the Corporation is subject to the requirements of the Freedom of Information Act (“FOIA”), 5 U.S.C. § 552. The Corporation’s FOIA functions are discharged by its Office of Legal Affairs (“OLA”), except for documents exclusively in the possession and control of LSC’s Office of Inspector General (“OIG”), 45 C.F.R. § 1602.2(f), 1602.8(b) & 1602.10.

Unless otherwise noted, LSC’s 2014 Chief FOIA Officer Report addresses activities that have occurred between March 11, 2013 and the filing of the 2014 Report.

Section I: Steps Taken to Apply the Presumption of Openness

The guiding principle underlying the President's FOIA Memorandum and the Attorney General's FOIA Guidelines is the presumption of openness.

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.

FOIA Training:

- 1. Did your agency hold an agency FOIA conference, or otherwise conduct training during this reporting period?**

Yes, LSC conducted training during this reporting period.

- 2. If so, please provide the number of conferences or trainings held, a brief description of the topics covered, and an estimate of the number of participants from your agency who were in attendance.**

In April 2013, training was provided to twelve members of LSC’s management team on enhancing transparency through proactive disclosures. The training discussed the importance of the presumption of openness underlying President Obama’s FOIA memorandum and Attorney General Holder’s FOIA guidelines and how to enhance transparency with more efficiency. Tips for identifying documents for proactive disclosure were shared, and the management team was encouraged to regularly review documents within their offices to identify new records for posting on LSC’s website.

In addition, in April 2013, an OLA attorney held targeted training sessions with staff members from each office of the Corporation to provide a general overview of FOIA, LSC's system for processing requests, proactive disclosures, and exemptions. The training stressed the importance of the presumption of openness and achieving transparency pursuant to guidelines issued by President Obama and Attorney General Holder.

On January 22, 2014, LSC's President issued a comprehensive memorandum to all LSC staff regarding FOIA compliance. This memorandum has been disseminated in past years and provides background on FOIA and LSC's disclosure obligations, including: (a) a detailed description of how FOIA requests are processed (including general intake, approval or denial of requests, conducting searches for responsive documents, document review and determination of disclosure, and appeals); (b) guidance on the role of staff members in processing FOIA requests; and (c) information on maintaining records in LSC's physical and electronic FOIA Reading Rooms (including proactively disclosed documents and other records routinely made available to the public).

3. Did your FOIA professionals attend any FOIA training during the reporting period such as that provided by the Department of Justice?

Yes, in July 2013, an attorney who regularly works with the FOIA Analyst attended the Department of Justice's two-day FOIA training for attorneys and access professionals. In addition, LSC's FOIA professionals utilized training materials available on the DOJ's website, including: OIP Training Slides for Agency Fiscal Year 2013 Annual FOIA Report Preparation; OIP Training Slides for Agency 2014 Chief FOIA Officer Report Preparation, Guidelines on Preparation of Annual FOIA Reports; and Achieving Transparency Through Proactive Disclosures and the Use of Technology.

4. Provide an estimate of the percentage of your FOIA professionals who attended substantive FOIA training during this reporting period.

50% of LSC's FOIA professionals attended substantive training during this reporting period.

5. OIP has issued guidance that every agency should make core, substantive FOIA training available to all their FOIA professionals at least once each year. Provide your agency's plan for ensuring that such training is offered to all agency FOIA professionals by March 2015. Your plan should anticipate an upcoming reporting requirement for your 2015 Chief FOIA Officer Reports that will ask whether all agency FOIA professionals attended substantive FOIA training in the past year.

To ensure that all of LSC's FOIA professionals have access to quality training on the administration of FOIA, the FOIA Analyst will regularly consult the schedule of training courses and webinars offered by the DOJ's Office of Information Policy (OIP) and the American Society of Access Professionals (ASAP). The FOIA Analyst will share training opportunities with the other FOIA professionals and ensure that each person attends at

least one course by March 2015. Additionally, as training materials and resources become available on the DOJ's OIP website, the FOIA Analyst will circulate them to the FOIA professionals. The Chief FOIA Officer will also circulate information on training opportunities and resources to the FOIA professionals as he becomes aware of them through listservs or other means.

Outreach:

6. Did your FOIA professionals engage in any outreach and dialogue with the requester community or open government groups regarding your administration of the FOIA? If so, please briefly discuss that engagement.

No. LSC posts its FOIA Handbook on the LSC website: <http://www.lsc.gov/about/foia/handbook>. The FOIA Handbook provides the public with a general overview of FOIA, describes the types of documents LSC disseminates under the FOIA, and provides a detailed description of how FOIA requests are to be submitted to the Corporation and processed.

Discretionary Disclosures:

In his 2009 FOIA Guidelines, the Attorney General strongly encouraged agencies to make discretionary releases of information even when the information might be technically exempt from disclosure under the FOIA. OIP encourages agencies to make such discretionary releases whenever there is no foreseeable harm from release.

7. Does your agency have a formal process in place to review records for discretionary release? If so, please briefly describe this process. If your agency is decentralized, please specify whether all components at your agency have a process in place for making discretionary releases.

When reviewing records responsive to a FOIA request, the FOIA Analyst first determines whether any of the records contain information exempt under FOIA. If so, the FOIA Analyst then determines whether there is any foreseeable harm to the public, the Corporation, an LSC grant recipient, or any individual that could result from release of the records. The FOIA Analyst considers the following factors: the age of the document, the sensitivity of the document's content, the identity of the parties involved, and whether the issues have been resolved or recommendations taken. If the FOIA Analyst believes discretionary release of information is appropriate because no foreseeable harm could result, then she consults with an OLA attorney and/or the Chief FOIA Officer for a final determination prior to releasing any such records.

8. During the reporting period did your agency make any discretionary releases of otherwise exempt information?

No, LSC did not make any discretionary releases of otherwise exempt information during the reporting period.

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

Not applicable.

10. Provide a narrative description, or some examples of, the types of information that your agency released as a matter of discretion.

Not applicable.

11. If your agency was not able to make any discretionary releases of information, please explain why.

Upon review of responsive documents, the FOIA Analyst, in consultation with an OLA attorney and/or the Chief FOIA Officer, determined there were no instances in which discretionary release of information would not result in foreseeable harm to the public, the Corporation, an LSC grant recipient, or an individual. Therefore, LSC was not able to make any discretionary releases during the reporting period. However, LSC continues to use the process described above and will make discretionary releases of information when it is determined that such release will not result in foreseeable harm.

Other Initiatives:

12. Did your agency post all of the required quarterly FOIA reports for Fiscal Year 2013? If not, please explain why not and what your plan is for ensuring that such reporting is successfully accomplished for Fiscal Year 2014.

Yes, LSC completed and posted all of the required quarterly FOIA reports for Fiscal Year 2013 by the reporting deadlines.

13. Describe any other initiatives undertaken by your agency to ensure that the presumption of openness is being applied. If any of these initiatives are online, please provide links in your description.

As noted above, LSC conducted an agency-wide training on FOIA and administration of FOIA, as well as training on proactive disclosures for the management team, stressing the importance of the presumption of openness and enhancing transparency. LSC also continues to proactively release documents on the LSC website, <http://www.lsc.gov/about/foia/electronic-public-reading-room>, to provide easy access to the general public about information on LSC. These documents include notices of meetings of the LSC Board of Directors and its committees; non-confidential materials considered at LSC Board of Directors and Committee meetings; matters for public comment; rulemaking agenda, notices, and guidance; policy statements and interpretations; administrative manuals; annual reports; strategic plans; program visit reports issued by LSC's Office of Program Performance and Office of Compliance and Enforcement; and reports of interest to the public.

Section 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." It is essential that agencies effectively manage their FOIA program.

Describe here the steps your agency has taken to ensure that your management of your FOIA program is effective and efficient. 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.

Personnel:

During Sunshine Week 2012 OPM announced the creation of a new job series entitled the Government Information Series, to address the work performed by FOIA and Privacy Act professionals. Creation of this distinct job series was a key element in recognizing the professional nature of their work.

- 1. Has your agency converted all of its FOIA professionals to the new Government Information Specialist job series?**

As a private non-profit corporation, LSC is not subject to the General Schedule (GS). However, LSC has incorporated the general occupational information into the position descriptions for its FOIA professionals.

- 2. If not, what proportion of personnel has been converted to the new job series?**

None. As stated above, LSC is a private non-profit corporation and is not subject to the General Schedule (GS). However, LSC has incorporated the general occupational information into the position descriptions for its FOIA professionals.

- 3. If not, what is your plan to ensure that all FOIA professionals' position descriptions are converted?**

As stated above, although LSC is a private non-profit corporation and is not subject to the GS, LSC has incorporated the general occupational information into the position descriptions for its FOIA professionals

Processing Procedures:

- 4. For Fiscal Year 2013 did your agency maintain an average of ten or less calendar days to adjudicate requests for expedited processing? If not, describe the steps your agency will take to ensure that requests for expedited processing are adjudicated within ten calendar days or less.**

LSC did not receive any requests for expedited processing in FY 2013.

- 5. Has your agency taken any steps to make the handling of consultations and referrals more efficient and effective, such as entering into agreements with other agencies or components on how to handle certain categories or types of records involving shared equities so as to avoid the need for a consultation or referral altogether, or otherwise implementing procedures that speed up or eliminate the need for consultations. If so, please describe those steps.**

LSC has not had any consultations or referrals with other agencies. However, LSC has on occasion sent and received consultations and referrals with the Office of Inspector General, which is a component of LSC. Because LSC is a small entity of approximately 129 employees, located in one office headquartered in Washington D.C., we receive a low volume of requests. Therefore, it is easy for the FOIA Analyst to communicate regularly in person, by email, and by phone with the OIG's FOIA professionals for consultations or referrals. The consultation and referral process currently in place is efficient and effective since both LSC and the OIG are able to respond promptly to FOIA requests.

Requester Services:

- 6. Do you use e-mail or other electronic means to communicate with requesters when feasible?**

Yes. LSC's primary means of communicating with FOIA requesters is via e-mail. We also invite electronic communications by fax and through an online submission form, which is available at: <http://www.lsc.gov/about/foia/overview/foia-electronic-submission>.

- 7. Does your agency notify requesters of the mediation services offered by the Office of Government Information Services (OGIS) at NARA?**

LSC has successfully processed FOIA requests and appeals without dispute. In the last three fiscal years, LSC has processed only seven appeals. None of them resulted in any litigation beyond LSC's administrative appeals process. Going forward, LSC will include information about the mediation services offered by OGIS as standard information available at the conclusion of the LSC administrative appeals process.

- 8. Describe any other steps your agency has undertaken to ensure that your FOIA system operates efficiently and effectively, such as conducting self-assessments to find greater efficiencies, improving search processes, eliminating redundancy, etc.**

LSC has improved its FOIA log for better recordkeeping, to track our efficiency in processing requests, and to provide weekly reports to LSC management on the status of requests. The FOIA log also assists the FOIA Analyst with updating the online tracking system for FOIA requesters on the LSC website that was recently implemented. The online tracking system enables a requester to track the status of his or her request in real

time without having to contact the FOIA Analyst. The following information is available on the online tracking system: (a) FOIA reference number; (b) date request received; (c) description of request; (d) estimated date of completion; and (e) status of request (e.g., search commenced, documents under review, closed).

The FOIA Analyst revised the search memo and accompanying time log that is circulated to office directors when a search for records is commenced. The revision was intended to assist office directors and staff members conducting a records search more accurately to log time being spent on searches.

LSC also increased the number of staff members who are able to monitor LSC's FOIA inbox to ensure that every FOIA request received is promptly identified and sent to the FOIA Analyst for processing.

A prominent link to the FOIA section was added above LSC's home page main navigation bar to make it easier for members of the public to find information on FOIA.

Section III: Steps Taken to Increase Proactive Disclosures

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 both to increase the amount of material that is available on your agency website, and the usability of such information, including providing examples of proactive disclosures that have been made during this past reporting period (i.e., from March 2013 to March 2014). In doing so, answer the questions listed below and describe any additional steps taken by your agency to make and improve proactive disclosures of information.

Posting Material:

1. Do your FOIA professionals have a system in place to identify records for proactive disclosures?

Yes, LSC has a system in place to identify records for proactive disclosures.

2. If so, describe the system that is in place.

Because many of the records identified for proactive disclosures are either generated by or must be reviewed by the Office of Legal Affairs (OLA), the FOIA professionals, most of whom are staff members in OLA, are able to routinely post such records on the LSC website without delay. In addition, the Chief FOIA Officer has emailed the management team reminding every manager to review records in the possession of his or her office to identify those that fall under one of the categories of proactive disclosures. The FOIA Analyst also routinely reviews the FOIA electronic reading room to see when new

postings of proactive disclosure documents are made by individual offices and includes this information in the weekly FOIA report to management.

3. Provide examples of material that your agency has posted this past reporting period, including links to where this material can be found online.

Examples of materials posted by LSC during this past reporting period include: notices of meetings of the LSC Board of Directors and its committees; non-confidential materials considered at LSC Board of Directors and Committee meetings; matters for public comment; rulemaking agenda, notices, and guidance; policy statements and interpretations such as external opinions issued by the Office of Legal Affairs, Program Letters issued to LSC's grantees, FOIA appeal opinion letters, and fundraising policies; LSC's annual report; program visit reports issued by LSC's Office of Program Performance and Office of Compliance and Enforcement; FOIA Annual Report; and Chief FOIA Officer Report. These materials are all available at: <http://www.lsc.gov/about/foia/electronic-public-reading-room>.

Making Posted Material More Useful:

4. 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, such as soliciting feedback on the content and presentation of posted material, improving search capabilities on the site, posting material in open formats, making information available through mobile applications, providing explanatory material, etc.?

Yes, LSC took steps to make the posted information more useful to the public.

5. If so, provide examples of such improvements.

LSC undertook significant efforts during the reporting period to review and revise its website, particularly the FOIA section, to improve content organization and make it more user-friendly. LSC also improved the search functionality of its website, making searches much more comprehensive and producing increased results for users. In addition, LSC began an initiative to convert PDF documents to HTML format so they are easier to search. LSC recently hired a Web Content Manager who will be working with the Office of Information Technology staff to continue making improvements to the LSC website, including potentially re-designing the website to make it more mobile-device friendly. Lastly, LSC began an initiative to make PDF documents accessible for people with disabilities.

6. Did your agency use any means to publicize or highlight important proactive disclosures for public awareness? If so, was social media utilized?

LSC routinely circulates emails to its grant recipients and interested stakeholders with a copy of proactively disclosed records, such as external opinions issued by the Office of

Legal Affairs, program letters affecting grant recipients, Board and committee meeting notices, and matters for public comment. In addition, LSC maintains a Facebook page and Twitter account to disseminate information about LSC and its grant recipients to the public and solicit feedback. LSC's new Web Content Manager plans to post information about LSC that is of interest to its grant recipients and members of the public, including proactive disclosures, on a more regular basis going forward.

LSC's Facebook page is available at: <https://www.facebook.com/LegalServicesCorporation>

LSC's Twitter is available at: <https://twitter.com/LSCtweets>

7. Has your agency encountered challenges that make it difficult to post records you otherwise would like to post? If so, please briefly explain what those challenges are.

No. We are a small organization and are able to quickly post records.

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

LSC continually reviews and updates its website with information believed to be of interest to our grant recipients, stakeholders, and members of the public. In addition, LSC has increased its efforts to highlight and disseminate information about LSC and its grant recipients using social media tools such as Facebook and Twitter.

Section 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. Over the past several years agencies have reported widespread use of technology in receiving and tracking FOIA requests and preparing agency Annual FOIA Reports. For 2014, as we have done over the past years, the questions have been further refined and now also address different, more innovative aspects of technology use.

Online tracking of FOIA requests:

1. Can a FOIA requester track the status of his/her request electronically?

Yes. LSC has implemented an online tracking system on its website, enabling FOIA requesters to easily track the status of their requests online.

2. If yes, how is this tracking function provided to the public? For example, is it being done through regularly updated FOIA logs, online portals, or other mediums?

LSC's online tracking system is located on its FOIA webpage and takes the form of a simplified FOIA log that is regularly updated by the FOIA Analyst as requests are being processed.

- 3. Describe the information that is provided to the requester through the tracking system. For example, some tracking systems might tell the requester whether the request is "open" or "closed," while others will provide further details to the requester throughout the course of the processing, such as "search commenced" or "documents currently in review." List the specific types of information that are available through your agency's tracking system.**

The online tracking system provides the following information: (a) FOIA reference number; (b) date request received; (c) description of request; (d) estimated date of completion; and (e) status of request (e.g., search commenced, documents under review, closed).

- 4. In particular, does your agency tracking system provide the requester with an estimated date of completion for his/her request?**

Yes. The online tracking system provides the requester with an estimated date of completion for his/her request.

- 5. If your agency does not provide online tracking of requests, is your agency taking steps to establish this capability? If not, please explain why.**

Not applicable.

Use of technology to facilitate processing of requests:

- 6. Beyond using technology to redact documents, is your agency taking steps to utilize more advanced technology to facilitate overall FOIA efficiency, such as improving record search capabilities, utilizing document sharing platforms for consultations and referrals, or employing software that can sort and de-duplicate documents?**

Yes. LSC is using more advanced technology to facilitate overall FOIA efficiency.

- 7. If so, describe the technological improvements being made.**

LSC undertook significant efforts to review, expand, and improve the LSC website, particularly the FOIA section. We updated the content of the FOIA Overview page, created a new FOIA Appeal Opinion Letter page, and created an online FOIA submission form to provide an alternate avenue for the public to submit FOIA requests. LSC also improved the searching capability on the four main LSC Drupal sites so that the public can easily search and access content across its website.

LSC's Chief Information Officer (CIO) is in the process of replacing LSC's document management system and plans to have a new and improved system in place by the end of 2014. In its search for a new document management system, LSC is looking for a system that will make it easier to search for documents across the organization, which will improve the efficiency and effectiveness of FOIA searches. In addition, we hope to be able to implement a system that will have the ability to tag records with a "FOIA" label so that such records are automatically posted to the FOIA electronic reading room.

8. Are there additional technological tools that would be helpful to achieving further efficiencies in your agency's FOIA program?

Due to budgetary constraints and because LSC does not receive a high volume of FOIA requests, LSC has not purchased FOIA software solutions to assist with the processing of and administration of FOIA. During Fiscal Year 2013, LSC received 24 FOIA requests and the LSC Office of Inspector General received 13 FOIA requests. Currently, LSC employs Microsoft Access for its FOIA database and Microsoft Word and Excel to maintain its FOIA log. It would be helpful to implement an updated software system for the FOIA database that can be accessed by all of LSC's FOIA professionals. The Chief Information Officer has taken FOIA administration into account in considering a new document management system for LSC, which we hope to have in place by the end of 2014.

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

The President and the Attorney General have emphasized the importance of improving timeliness in responding to requests. This section 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 those contained in the specified sections of your agency's 2013 Annual FOIA Report and, when applicable, your agency's 2012 Annual FOIA Report.

Simple Track Requests:

- 1. 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.**

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

No. LSC treats all FOIA requests as simple requests.

- b. If so, for your agency overall, for Fiscal Year 2013, was the average number of days to process simple requests twenty working days or fewer?**

Yes. The average number of days to process simple requests for the agency overall was 9.94 days.

- c. If your agency does not track simple requests separately, was the average number of days to process non-expedited requests twenty working days or fewer?**

LSC treats all FOIA requests as simple requests. The average number of days to process simple requests for the agency overall was 9.94 days.

Backlogs and “Ten Oldest” Requests, Appeals and Consultations:

- 2. 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. 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 2012 and Fiscal Year 2013 when completing this section of your Chief FOIA Officer Report.**

Backlogs

- a. If your agency had a backlog of requests at the close of Fiscal Year 2013, did that backlog decrease as compared with Fiscal Year 2012?**

LSC did not have a backlog of requests at the close of either Fiscal Year 2012 or Fiscal Year 2013.

- b. If your agency had a backlog of administrative appeals in Fiscal Year 2013, did that backlog decrease as compared to Fiscal Year 2012?**

LSC did not have a backlog of administrative appeals at the close of either Fiscal Year 2012 or Fiscal Year 2013.

Ten Oldest Requests

- c. In Fiscal Year 2013, did your agency close the ten oldest requests that were pending as of the end of Fiscal Year 2012?**

LSC did not have any requests pending at the end of Fiscal Year 2012.

- d. **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 2012 Annual FOIA Report. If you had less than ten total oldest requests to close, please indicate that. For example, if you only had seven requests listed as part of your "ten oldest" in Section VII.E. and you closed two of them, you should note that you closed two out of seven "oldest" requests.**

Not applicable.

Ten Oldest Appeals

- e. **In Fiscal Year 2013, did your agency close the ten oldest administrative appeals that were pending as of the end of Fiscal Year 2012?**

Yes, LSC had one administrative appeal pending at the end of Fiscal Year 2012 and closed it in Fiscal Year 2013.

- f. **If no, please provide the number of these appeals your agency was able to close, as well as the number of appeals your agency had in Section VI.C.(5) of your Fiscal Year 2012 Annual FOIA Report.**

Not applicable.

Ten Oldest Consultations

- g. **In Fiscal Year 2013, did your agency close the ten oldest consultations received by your agency and pending as of the end of Fiscal Year 2012?**

LSC did not receive any consultations from other agencies in Fiscal Year 2012 or Fiscal Year 2013.

- h. **If no, please provide the number of these consultations your agency did close, as well as the number of pending consultations your agency listed in Section XII.C. of your Fiscal Year 2012 Annual FOIA Report.**

LSC did not receive any consultations from other agencies in Fiscal Year 2012 or Fiscal Year 2013.

Reasons for Any Backlogs:

3. **If you answered "no" to any of the questions in item 2 above, describe why your agency was not able to reduce backlogs and/or close the ten oldest pending requests, appeals, and consultations. In doing so, answer the following questions then include any additional explanation:**

Request and/or Appeal Backlog

- a. Was the lack of a reduction in the request and/or appeal backlog a result of an increase in the number of incoming requests or appeals?**

Not applicable.

- b. Was the lack of a reduction in the request and/or appeal backlog caused by a loss of staff?**

Not applicable.

- c. Was the lack of a reduction in the request and/or appeal backlog caused by an increase in the complexity of the requests received?**

Not applicable.

- d. What other causes, if any, contributed to the lack of a decrease in the request and/or appeal backlog?**

Not applicable.

“Ten oldest” Not Closed

- e. Briefly explain the obstacles your agency faced in closing its ten oldest requests, appeals, and consultations from Fiscal Year 2012.**

LSC did not have any requests and only had one appeal pending from Fiscal Year 2012, and did not face any obstacles in closing the appeal. LSC received the appeal at the end of Fiscal Year 2012 and responded to it in early Fiscal Year 2013. The response was provided to the requester in 19 days, which is within the statutory response time.

- f. If your agency was unable to close any of its ten oldest requests or appeals 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.**

Not applicable.

Plans for Closing of Ten Oldest Pending Requests, Appeals, and Consultations and Reducing Backlogs:

Given the importance of these milestones, it is critical that Chief FOIA Officers assess the causes for not achieving success and create plans to address them.

- 4. If your agency did not close its ten oldest pending requests, appeals, and consultations, please provide a plan describing how your agency intends to close those “ten oldest” requests, appeals, and consultations during Fiscal Year 2014.**

LSC did not have any “ten oldest” pending requests, appeals, or consultations in Fiscal Year 2013. We plan to continue processing FOIA requests, appeals, and consultations received in a timely manner.

- 5. If your agency had a backlog of more than 1000 pending requests and did not reduce that backlog in Fiscal Year 2013, provide your agency’s plan for achieving backlog reduction in the year ahead.**

LSC did not have any backlogs in Fiscal Year 2013.

Interim Responses:

OIP has issued **guidance** encouraging agencies to make interim releases whenever they are working on requests that involve a voluminous amount of material or require searches in multiple locations. By providing rolling releases to requesters agencies facilitate access to the requested information.

- 6. Does your agency have a system in place to provide interim responses to requesters when appropriate?**

Most FOIA requests submitted to LSC do not result in voluminous amounts of responsive materials and, therefore, such requests are generally responded to within 20 days. In the event additional time is needed to review responsive materials, the FOIA Analyst notifies the requester of the situation, and explains that a response will be generated within 10 days.

- 7. If your agency had a backlog in Fiscal Year 2013, please provide an estimate of the number or percentage of cases in the backlog where a substantive, interim response was provided during the fiscal year, even though the request was not finally closed.**

LSC did not have a backlog in Fiscal Year 2013.

Use of FOIA’s Law Enforcement “Exclusions”

In order to increase transparency regarding the use of the FOIA’s statutory law enforcement exclusions, which authorize agencies under certain exceptional circumstances to “treat the records as not subject to the requirements of [the FOIA],” 5 U.S.C. § 552(c)(1), (2), (3), please answer the following questions:

- 1. Did your agency invoke a statutory exclusion during Fiscal Year 2013?**

No.

2. If so, what was the total number of times exclusions were invoked?

LSC did not invoke the statutory law enforcement exclusions during Fiscal Year 2013.

Spotlight on Success

Out of all the activities undertaken by your agency since March 2013 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. As noted above, these agency **success stories will be highlighted during Sunshine Week by OIP. 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 a key achievement. A complete description of all your efforts will be contained in the body of your Chief FOIA Officer Report.**

- Leveraging technology to enhance transparency and providing more records and information to the public in an organized and user-friendly manner were LSC's key efforts during the reporting period.
- LSC significantly improved its website content by updating the FOIA section, regularly posting LSC news updates, and adding records and information believed to be of interest to grant recipients, stakeholders, and the general public.
- LSC implemented an online tracking system for FOIA requesters and created an online FOIA request submission form to improve the efficiency and effectiveness of processing requests.
- LSC increased its use of social media tools, such as Facebook and Twitter, to highlight and disseminate information about LSC and its grant recipients.
- LSC began an initiative to ensure that the website information is accessible to people with disabilities.