SOCIAL SECURITY ADMINISTRATION

2018 CHIEF FOIA OFFICER REPORT

2018 Chief FOIA Officer Report

Social Security Administration

Name and Title of your Agency's Chief FOIA Officer:

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Section I: 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 Training:

1. Did your FOIA professionals or the personnel at your agency who have FOIA responsibilities attend any FOIA training or conference during the reporting period such as that provided by the Department of Justice?

Yes

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

- **Monthly FOIA Staff Meetings – Our monthly meetings covered various FOIA-related topics including, but not limited to FOIA appeals, partial disclosures, FOIA fees and fee-waivers, requirements for perfected requests under the FOIA (e.g., not enough information to search or too broad), and Office of Government Information Services (OGIS) referrals.**

- **Bi-monthly FOIA/PA coordinator meetings – Discussions included the interface between the FOIA and the PA, FOIA fees, and fee-waivers. We also discuss cases that may be of interest or may become common.**

- **Department of Justice's Freedom of Information Act for Attorneys and Access Professionals class – Includes an overview of the FOIA's procedural requirements and exemptions, workshops on the exemptions, processing, disclosure requirements, and the interface between the FOIA and the Privacy Act.**

- **ASAP Annual Conference – Several staff members attended discussions that included the FOIA Improvement Act of 2016, exemptions, FOIA & Privacy Act soup to nuts, records management, fees, reducing your backlog, and providing great customer service.**

- **OGIS Dispute Resolution Skills Designed for FOIA Professionals**

3. Provide an estimate of the percentage of your FOIA professionals and staff with FOIA responsibilities who attended substantive FOIA training during this reporting period.

Approximately 95% of our FOIA professionals attended substantive training during this reporting period.

4. OIP has directed agencies to "take steps to ensure that all of their FOIA professionals attend substantive FOIA training at least once throughout 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.

N/A

B. Outreach:

5. Did your FOIA professionals engage in any outreach or dialogue with the requester community or open government groups regarding your administration of the FOIA?

Yes, the Office of Communications' Office of External Affairs (OEA) works with the FOIA professionals to conduct outreach with the requester community and open government groups. Additionally, we work with OEA to post disability application related data proactively. Below are some of the Outreach activities conducted in FY17:

- **The Open Data Customer Feedback Process provides a mechanism for the public to make suggestions of releases and for SSA to share recent release information.**

- **One of our FOIA professionals participated in a panel discussion with the requester community at the August Chief FOIA Officers' Meeting. We discussed current practices and changes that the requester community recommended.**

C. Other Initiatives:

6. Describe any efforts your agency has undertaken to inform non-FOIA professionals of their obligations under the FOIA.

- **Released a training video to the agency explaining the FOIA and their obligations under it.**

- **Meeting with upper management to remind them of their respective components' obligations under the FOIA.**

- **In addition to Sunshine Week activities, we interact with non-FOIA professionals on an ongoing basis and take every opportunity to explain the requirements under FOIA.**

- **We also provide a copy of relevant FOIA policy and guidance to agency staff.**

- **We revised the FAQs on the internal and external FOIA websites to ensure we meet our statutory obligations.**

- **We provided training to the new FOIA liaisons in various components to include, but not limited to, what constitutes a record, applicable exemptions, how to use the FOIAonline platform to respond to tasks for record searches, the twenty-day response time limitations, and how to calculate fees if applicable.**

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

We take the opportunity each year during Sunshine Week to provide an agency-wide email reminder to our employees. Additionally, we develop posters to draw attention to the importance of openness in government. We also work closely with OEA towards the goal of creating a more open agency through the principles of transparency, participation, and collaboration.

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

The 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 describes your agency's efforts in this area.

1. For Fiscal Year 2017, 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 2017 Annual FOIA Report.

The average number of days we reported to adjudicate any requests for expedited processing is 3.55.

2. If your agency's average number of days to adjudicate requests for expedited processing was above ten calendar days, please describe the steps your agency will take to ensure that requests for expedited processing are adjudicated within ten calendar days or less.

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 data, using active workflows and track management, reviewing and updating processing procedures, etc.

We conducted a self-assessment of our FOIA program as part of our preparations to migrate to FOIAonline to update our processing with best practices.

4. 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 2017 (please provide a total number or estimate of the number).

We received approximately 1600 emails to our FOIA Public Liaison mailbox and about 800 phone calls.

5. Optional Survey Question: If possible, please provide an estimate of the average number of pages that your agency processes for each request. You may provide estimates for each track.

The average number of pages for a simple request is 2. The average number of pages for a complex request is 1000.

6. If there are any other steps your agency has undertaken to ensure that your FOIA system operates efficiently and effectively, such as improving search processes, eliminating redundancy, etc. please describe them here.

We started the migration to the FOIAonline shared service system for case processing this year. This migration should be complete by the end of fiscal year 2018. This has increased the efficiency of our record searches since it provides for easy communication and tracking with our components and the ability to upload responsive documents directly into the system. In addition, we implemented an incoming case review process to catch and eliminate duplicate cases before they are entered into the system. We are also able to better identify items miscategorized as FOIA requests, such as requests for service on claims or general questions about the agency.

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 material that your agency has proactively disclosed during the past reporting year, including links to the posted material.

The FOIA staff released the following documents that are available at https://www.ssa.gov/foia/readingroom.html under proactive disclosures:

Appeals Council Pending Claims and National Average Processing Time for FY2016

Vocational Expert Blanket Purchase Agreement

SSA Records Concerning Social Security Benefits and Nazi War Criminals

Correspondence Among Officials at SSA Discussing Social Security Benefits and Suspected Nazi War Criminals

Number of Investigated mySSA and I-Claim Fraud Cases through 02/28/17

Non-Attorney Representatives Eligible for Direct Fee Payment

2016 SSDI & SSI Claims Allowance Rates by Nation, Region, and State

Texas DDS Medical Consultants for FY2015

FY10 – FY16 Key Workload Indicators

Political Appointees Ethics Pledges 2017

Political Appointees 2017 Resumes

In addition, the Open Government staff released a number of documents last year based on data gathered from the requester community and open government groups. These documents are available on www.data.gov. Below is a sample listing of the releases:

National Beneficiary Survey

Ticket to Work Monthly Reports

Disability (DI) Beneficiaries by State and Zip Code for 2016 and 2015

Supplemental Security Insurance (SSI) Recipients by State and County for 2016

SSI Annual Statistical Report for 2015 & 2016

DI Annual Statistical Report for 2015 & 2016

Periodic Continuing Disability Reviews (CDRs) Backlog

Social Security Hearing Office Locations

End of Year Generational Data for Social Security Employees

2016 Most Popular Baby Names

2. Did your agency use any means to publicize or highlight important proactive disclosures for public awareness? If yes, please describe those efforts.

Yes, we include messages in our FOIA response letters and direct requesters to our FOIA website that houses our proactive disclosures. In addition, we provide a link to proactive disclosures on our FOIA webpage to recommend that the public may access these documents prior to making a FOIA request to determine if the information is already available.   See https://www.ssa.gov/foia/index.html.

3. 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.

Yes

4. If yes, please provide examples of such improvements.

We simplified document names so it is clear what documents are posted and available. We began an ongoing project in 2017 to update our FOIA website to make it more organized and user friendly.

5. If there are any other steps your agency has taken to improve proactive disclosures, please describe them here. For example, has your agency engaged requesters in determining how and what to post? Has your agency used web analytics to inform your proactive disclosures?

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. Has your agency identified any best practices to leverage 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? If yes, please describe the best practices, the types of technology used and the impact on your agency's processing.

Yes. We started the migration to the FOIAonline system in May of 2017 for processing our FOIA cases. We expect this migration to be complete by the end of fiscal year 2018. This migration has led to overall FOIA efficiencies such as linking all of our components to a single trackable system, making document retrieval and communications between components easier. FOIAonline also provides the capability for us to respond to requesters via secure email, which allows for quicker responses and reduced mailings and lost letters.

In addition, we utilize Introspect software to assist in de-duplicating and searching voluminous amounts of emails to locate responsive documents to increase efficiency in review processing time.

2. Did your agency successfully post all four quarterly reports for Fiscal year 2017?

Yes

3. 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 2018.

N/A

4. 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 2016 Annual FOIA Report and, if available, for your agency's Fiscal Year 2017 Annual FOIA Report.

https://www.ssa.gov/foia/index.html

5. If there are any other steps your agency has taken to improve its use of technology in FOIA, please describe them here.

We utilized SSA's SkillsConnect program to obtain temporary assistance from employees in other SSA offices with the processing of our FOIA caseload.

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 2016 Annual FOIA Report.

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?

 Yes

2. If so, for your agency overall in Fiscal Year 2075, was the average number of days to process simple requests twenty working days or fewer?

Yes

3. Please provide the percentage of requests processed by your agency in Fiscal Year 2016 that were placed in your simple track.

99%

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?

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 2016 and Fiscal Year 2017 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 2017, did that backlog decrease as compared with the backlog reported at the end of Fiscal Year 2016?

No

6. If not, explain why and describe the causes that contributed to your agency not being able 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 requests contributing to your backlog increase.
- Any other reasons – please briefly describe or provide examples when possible.

We had two main factors contributing to our inability to reduce our backlog:

- **We lost five staff members in the last fiscal year, leaving only 8 full time FOIA staff, and**
- **We received an increase in requests for voluminous documents, that require more review time. The most common type of voluminous request we received in fiscal year 2017 was for employee emails.**

7. 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 2017.

SSA's backlog percentage for Fiscal Year 2017 is 0.78%.

Backlogged Appeals

8. If your agency had a backlog of appeals at the close of Fiscal Year 2017, did that backlog decrease as compared with the backlog reported at the end of Fiscal Year 2016?

Yes

9. If not, explain why and describe the causes that contributed to your agency not being able 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.

N/A

10. 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 2015. If your agency did not receive any appeals in Fiscal Year 2015 and/or has no appeal backlog, please answer with "N/A."

SSA's appeal backlog percentage for fiscal year 2017 is 3.79%.

C. Backlog Reduction Plans:

11. In the 2017 guidelines for Chief FOIA Officer Reports, any agency with a backlog of over 1000 requests in Fiscal Year 2016 was asked to provide a plan for achieving backlog

reduction in the year ahead. Did you 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 2016?

N/A

12. If your agency had a backlog of more than 1,000 requests in Fiscal Year 2017, what is your agency's plan to reduce this backlog during Fiscal Year 2018?

N/A

D. Status of Ten 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 2016 and Fiscal Year 2017 when completing this section of your Chief FOIA Officer Report.

TEN OLDEST REQUESTS

13. In Fiscal Year 2017, did your agency close the ten oldest requests that were reported pending in your Fiscal Year 2016 Annual FOIA Report?

No

14. 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 2015 Annual FOIA Report. If you had less than ten total oldest requests to close, please indicate that.

Nine

15. Of the requests your agency was able to close from your ten oldest, please indicate how many of these were closed because the request was withdrawn by the requester. If any were closed because the request was withdrawn, did you provide any interim responses prior to the withdrawal?

None

TEN OLDEST APPEALS

16. In Fiscal Year 2017, did your agency close the ten oldest appeals that were reported pending in your Fiscal Year 2016 Annual FOIA Report?

No

17. 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 2015 Annual FOIA Report. If you had less than ten total oldest appeals to close, please indicate that.

Nine

TEN OLDEST CONSULTATIONS

18. In Fiscal Year 2017, did your agency close the ten oldest consultations that were reported pending in your Fiscal Year 2016 Annual FOIA Report?

Yes

19. 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 2016 Annual FOIA Report. If you had less than ten total oldest consultations to close, please indicate that.

N/A

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

20. Briefly explain any obstacles your agency faced in closing its ten oldest requests, appeals, and consultations from Fiscal Year 2016.

The remaining oldest request and oldest appeal cases were for voluminous records. It took a long time for the responsive component to provide the requested documents. The documents are in the process of being reviewed for release with redactions.

21. 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.

N/A

22. 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 2018.

We have made these requests a priority for review and redaction in an effort to close them during Fiscal year 2018.

F. Success Stories

Out of all the activities undertaken by your agency since March 2017 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, 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.

During fiscal year 2017, we utilized a program that SSA offers entitled SkillsConnect. SkillsConnect is a talent-sharing program through which employees have opportunities to share existing skills to work on virtual projects for up to 20% of their time (up to one year). We set up two SkillsConnect projects that allowed employees from other components to assist us virtually. We were able to utilize nine employees to remotely input mailed requests and complete case processing one day each week. This project helped us manage our workload despite experiencing significant staff losses this year.