

Selective Service System

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2014 Chief FOIA Officer 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?

No, we have no new FOIA staff and this staff services all agency FOIA actions.

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.

Not Applicable

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

Yes, a) FOIA Public Liaisons Training and b) 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.

One-half, 50%, of the SSS FOIA staff attended relevant 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.

SSS is committed to ensuring that 100% of our FOIA professional staff completes at least one core course per assignee in FY 2014 and 2015.

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.

Yes, one of the FOIA staff is on the agency's Open Government Team and ensures immediate data sharing. Further, this individual monitors all public website comments for relevant feedback.

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.

First, the content of each requested record is examined by the program office, FOIA staff and General Counsel to ascertain whether or not record is classified or pertains to national security, commercial and financial information, personal privacy, and information protected by statute. If so, the record is generally not released. However, very, very few requests involve the foregoing categories. Second, each record is carefully reviewed to see if it fits all requirements of the exemption being considered. The age of the document is also looked at to determine if it is outdated and has been superseded by a newer version and is no longer sensitive. On the rare occasion that an exemption may apply, the FOIA staff and the Office of General Counsel determine if a partial release of any portion of the record can be made. FOIA staff looks at each request with a presumption of openness and releases portions of the record when the full release is not possible. Therefore, everything else has been released; in fact, the vast preponderant of requests are satisfied. This policy of discretionary releases has been maximized through our centralized system. Since one office handles all FOIA actions, this policy is practiced uniformly.

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

NO; everything requested was releasable.

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

Not Applicable. Agency had no discretionary releases; all requests merited a release.

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

Not Applicable. Agency had no discretionary releases.

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

Not Applicable. Agency had no requests for discretionary releases.

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, all required FOIA reports were posted to our website.

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.

The Agency is maximizing the presentation of Informational print, radio and TV materials on the Agency's website. Additionally, the Agency is able to disseminate information and solicit feedback through social media venues like the SSS Facebook page and YouTube. Both are linked to our website. The Agency uses Twitter as another means of communication and dissemination of information with the public. The public's comments are reviewed and responded to on a continual basis. The public may also contact us through our Information@sss.gov email account linked on our website.

<http://media.sss.gov/media/>

<https://www.facebook.com/SSSregistration>

<http://www.youtube.com/user/SelectiveServ?feature=watch>

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?

Not Applicable. The two FOIA staff handle all FOIA issues as a collateral duty assignment and remain Public Affairs Specialists because these are the preponderance of their duties.

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

Not applicable.

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

Not applicable nor necessary.

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? **Yes**

If not, describe the steps your agency will take to ensure that requests for expedited processing are adjudicated within ten calendar days or less.

N/A. In FY 2013 both the median and the average number of days for a response to a FOIA request was significantly less than 10 days. Turn-around time very short.

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.

N/A; this Agency averages one or less referral/consultation per year.

Requester Services:

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

Yes

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

Have not had the need to do so, but will if the situation arises.

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.

We do conduct customer feedback, internal controls, self-assessments, and other audits, the Selective Service's FOIA system has consistently operated efficiently and effectively with extremely short response times to our customers. While we do evaluate ourselves periodically, any changes must offer programmatic betterments which are feasible and affordable.

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

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

The FOIA staff determines records for proactive disclosures by means of professional judgment, public feedback, review of FOIA requests received, and analysis of correspondence and requests. Consequently, Selective Service continues to post information about the agency and individuals, policies, plans,

and procedures on its public website to inform the public what records and information are available. We already know what types of information will probably be disclosed by category/type. Selective Service has a vast amount of information and records posted on the Agency's internet which affords the public easy and fast access. Examples follow below.

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

Annual Reports to Congress

<http://www.sss.gov/PDFs/Annual%20Report%202012%20-%20WEB.pdf>

Performance and Accountability Report

<http://www.sss.gov/PDFs/PAR%202012%20Web.pdf>

Performance Budget Justification

<http://www.sss.gov/PDFs/FY%202014%20Congressional%20Budget%20Justification%20-%20FINAL.PDF>

Federal Employee Viewpoint Survey

<http://www.sss.gov/PDFs/2012%20Employee%20Viewpoint%20Survey.pdf>

Annual FOIA Report

<http://www.sss.gov/PDFs/FOIA%20Report%202012.pdf>

Chief FOIA Officer Report

<http://www.sss.gov/PDFs/SSS%20Chief%20FOIA%20Officer%20Report%202013.pdf>

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

5. If so, provide examples of such improvements.

Not only is information constantly updated and expanded, but the website itself is being redesigned to make it more user-friendly and easier to negotiate. For example, information is better grouped; thus, information on our board member and registration programs are now located in one place. Selective Service is

more proactive and is expanding its presence on social media venues like the SSS Facebook page, YouTube, and Twitter.

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

Yes. Agency utilized Facebook to get information out to the public quickly about "Women and the Draft".

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.

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

If important issues are developing, SSS anticipates a public need, crafts relevant messages, and posts this information on our website and social media venues.

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?

Not necessary. An average request is answered in significantly less than 10 days so there is little need to track a request.

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?

Not Applicable.

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.

Not Applicable

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

Not Applicable; responses are returned over night.

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 necessary; average request is answered in significantly less than 10 days – usually one day.

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?

Not Applicable. Agency has consistently had so few requests per year that all are handled within very short turn-around time. Additional expenditures of dollars is not necessary nor desirable.

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

Not Applicable.

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

Not Applicable or necessary given the few requests a year and the short response time being practiced.

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, not applicable. With so few requests, all are handled alike.

- 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?

Not Applicable.

- 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?

Yes, all requests are serviced in less than 20 working 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?

Not Applicable. No backlog.

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

Not Applicable. No backlog.

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?

Not Applicable. No backlog.

- 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?

Not Applicable. No administrative appeals.

- 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. No administrative appeals.

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?

Yes.

- 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.

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:

Not Applicable for all the questions below:

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?
- b. Was the lack of a reduction in the request and/or appeal backlog caused by a loss of staff?
- 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?
- d. What other causes, if any, contributed to the lack of a decrease in the request and/or appeal backlog?

"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.
- 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.

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.
5. If you 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.

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?

Yes.

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.

Not Applicable. No backlog.

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?

Not Applicable.

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.

The Selective Service System continues to increase transparency and open government by continually utilizing the agency's social media efforts which include Facebook, YouTube and Twitter. The public posts questions and comments on these sites and we respond to all appropriate comments. The agency continues to receive positive feedback from the public and stakeholders for the amount of subject matter covered on our website. Selective Service System is pleased that its proactive efforts have increased openness, ensured no backlogs, and maintain a most responsive customer service.