

PHASE I: CONTRACT FORMATION

Activity 29: Inquiries and Freedom of Information Act (FOIA) Requests

Inquiries About Invitations (IFBs) and Solicitations

Inform government personnel of their roles in responding to inquiries.

Identify restrictions and permissibility on the release of information.

Conduct an investigation if required to prepare a response.

Determine if amending or cancelling the invitation for bids (IFB) or solicitation is appropriate.

FOIA Requests

"Route" any "misdirected" FOIA request to the appropriate agency component within ten days of receiving the request.

Assign an individualized tracking number to requests that will take longer than ten days to process, and provide that tracking number to the requester.

Verify that the requestor has submitted a proper FOIA request.

If the requestor submits an improper FOIA request

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Clarify the scope of the request with the requestor, and assist the requestor in reformulating the request.

Upon receipt of a proper FOIA request, determine whether to grant a request for expedited access within ten calendar days of its receipt.

If no,

If yes,

Make a determination on the request within twenty working days, seeking assistance from the FOIA Public Liaison as necessary.

Determine whether the FOIA request is for records that are exempt from mandatory public disclosure.

Undertake a search that is reasonably calculated to uncover all relevant documents.

Upon locating records responsive to a FOIA request, determine whether any of those records, or information contained in those records, originated with another agency or agency component.

If yes,

If no,

Consult with any other agency or other agency component whose information appears in the responsive records.

Complete a segregability analysis and determine which portion of the responsive documents can be disclosed as nonexempt and which portions can be appropriately withheld as exempt.

Respond to inquiries regarding the status of FOIA requests, seeking assistance from the FOIA Public Liaison as necessary.

Determine whether to deny the request in full or in part.

If no,

If yes,

Release information authorized for disclosure in any form or format requested by the person if the record is readily reproducible by the agency in that form or format.

Provide the requester with certain information about the action taken on the request.

If applicable, make a determination on an administrative appeal within twenty working days after its receipt.

Seek mediation services from the Office of Services from Information Services (OGIS) of the National Archives and Records Administration (NARA), if necessary.