**PHASE I: CONTRACT FORMATION**

**Inquiries About Invitations (IFBs) and Solicitations**

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

- Determine whether the FOIA request is for records that are exempt from mandatory public disclosure.
- Assign an individualized tracking number to requests that will take longer than ten days to process, and provide that tracking number to the requester.
- "Route" any "misdirected" FOIA request to the appropriate agency component within ten days of receiving the request.
- Verify that the requestor has submitted a proper FOIA request.
- Clarify the scope of the request with the requestor, and assist the requester in reformulating the request.
- Make a determination on the request within twenty working days, seeking assistance from the FOIA Public Liaison as necessary.
- Upon receipt of a proper FOIA request, determine whether to grant a request for expedited access within ten calendar days of its receipt.
- Undertake a search that is reasonably calculated to uncover all relevant documents.
- Consult with any other agency or other agency component whose information appears in the responsive records.
- Complete a segregability analysis and determine which portions 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.
- 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 Government Information Services (OGIS) of the National Archives and Records Administration (NARA), if necessary.

**FOIA Requests**

- 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 canceling the invitation for bids (IFB) or solicitation is appropriate.
- 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.
- 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.
- 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 Government Information Services (OGIS) of the National Archives and Records Administration (NARA), if necessary.