

GAO Highlights

Highlights of [GAO-20-209T](#), a testimony before the Subcommittee on Oversight, Management and Accountability, Committee on Homeland Security, House of Representatives

Why GAO Did This Study

FOIA requires federal agencies to provide the public with access to government records and information based on the principles of openness and accountability in government. Each year, individuals and entities file hundreds of thousands of FOIA requests. DHS continues to receive and process the largest number of FOIA requests of any federal department or agency. For fiscal year 2018, over 40 percent of federal FOIA requests (about 396,000) belonged to DHS.

GAO was asked to summarize its November 2014 and June 2018 reports which addressed, among other things, (1) DHS's methods to reduce backlogged FOIA requests and (2) duplication in DHS's processing of FOIA requests.

In conducting this prior work, GAO evaluated the department's and components' FOIA policies, procedures, reports, and other documentation; and interviewed agency officials. GAO also followed up on its recommendations to determine their implementation status.

What GAO Recommends

In its prior reports, GAO made five recommendations to DHS. These included, among other things, that DHS (1) take steps to develop and document a plan that fully addressed best practices with regard to reducing the number of backlogged FOIA requests and (2) eliminate duplicative processing of immigration-related requests. The department agreed with the recommendations. However, as of October 2019, DHS had not fully implemented all of them.

View [GAO-20-209T](#). For more information, contact Vijay A. D'Souza at (202) 512-6240 or dsouzav@gao.gov.

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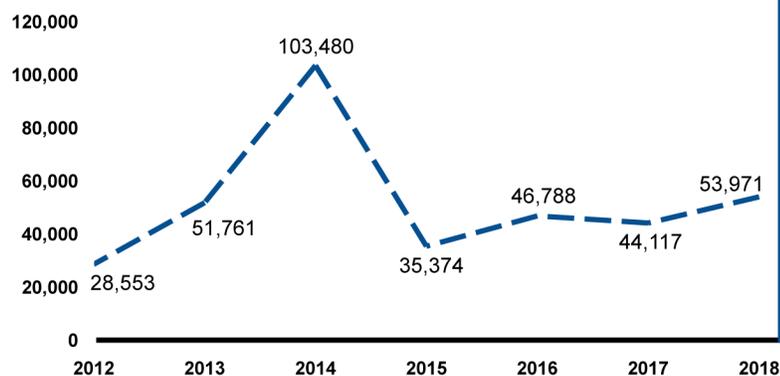
FREEDOM OF INFORMATION ACT

DHS Needs to Reduce Backlogged Requests and Eliminate Duplicate Processing

What GAO Found

The Department of Homeland Security's (DHS) responsibilities for processing *Freedom of Information Act* (FOIA) requests are split between the department's Privacy Office, which acts as its central FOIA office, and FOIA offices in the department's component agencies, such as U.S. Citizenship and Immigration Services and Immigration and Customs Enforcement. In 2018, GAO reported that DHS had implemented several methods to reduce backlogged FOIA requests, including sending monthly emails to its components on backlog statistics and conducting oversight. In addition, several DHS components, implemented actions to reduce their backlogs. Due to efforts by the department, the backlog dropped 66 percent in fiscal year 2015, decreasing to 35,374 requests. Although there was initial progress by the end of fiscal year 2015, the number of backlogged requests increased in fiscal years 2016 and 2018 (see figure). One reason DHS was struggling to consistently reduce its backlogs is that it lacked documented, comprehensive plans that would provide a more reliable, sustainable approach to addressing backlogs and describe how it will implement best practices for reducing backlogs over time.

Number of Backlogged FOIA Requests for DHS, Fiscal Years 2012-2018



Source: GAO analysis of FOIA.gov data. | GAO-20-209T



DHS attributed the increase in its FOIA backlogs to several factors, including the increased numbers and complexity of requests received and the volume of responsive records for those requests. Until it develops a plan to implement best practices to reduce its backlogs, DHS will likely continue to struggle to reduce the backlogs to a manageable level.

In addition, in 2014 GAO reported that certain immigration-related requests were processed twice by two different DHS components. The duplicate processing of such requests by the two components contributed to an increase in the time needed to respond to the requests. GAO continued to report this issue in its 2019 annual product on opportunities to reduce fragmentation, overlap, and duplication.