

Project On Government Oversight

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June 27, 2011

General Services Administration
Regulatory Secretariat (MVCB)
1275 First Street, NE
Washington, DC 20417
ATTN: Hada Flowers/VSI-Notice 2011-01

Submitted via Regulations.gov

Subject: VSI-Notice 2011-01—Notice Pursuant to Executive Order 12600 of Receipt of Freedom of Information Act (FOIA) Requests for Access to the Central Contractor Registration (CCR) Data

Dear Ms. Flowers:

The Project On Government Oversight (POGO) is an independent nonprofit organization committed to achieving a more accountable and transparent federal government. As an organization that heavily depends on the Freedom of Information Act (FOIA) to perform its watchdog role, POGO provides the following public comment to VSI-Notice 2011-01, “Notice Pursuant to Executive Order 12600 of Receipt of Freedom of Information Act (FOIA) Requests for Access to the Central Contractor Registration (CCR) Data,” (76 Fed. Reg. 30717, May 26, 2011).

In the notice, the General Services Administration (GSA) has set forth the FOIA status of each of the CCR’s 260 data fields. POGO is encouraged that the GSA has designated approximately two-thirds of these fields as not exempt under FOIA. The GSA provides this information to the public in the form of downloadable “extract” files posted on the Acquisition.gov website. Unfortunately, these files are extremely large, take a long time to download, and require special software to be able to open and view properly. The website instructs users to load extracts with “Microsoft Access or Excel version 2007 (or greater),” and warns that “[e]arlier versions of Excel are limited to 65,535 rows and will not be able to load all the data.”¹ POGO thinks this data should be presented in a format accessible to all visitors to the website.

The remaining data fields are designated as exempt pursuant to FOIA Exemption 4, which protects privileged or confidential trade secrets and commercial or financial information. Some of this FOIA-exempt data is reported on other federal spending websites. For example, in certain circumstances, contractors must report executive compensation information on USAspending.gov. In addition, contractors and grantees are required to report civil, criminal, and administrative proceedings in the Federal Awardee


¹ General Services Administration, “CCR Extracts,” https://www.acquisition.gov/ccr_extracts.asp (Downloaded June 27, 2011).

Performance and Integrity Information System (FAPIIS) database, although only data reported after April 15, 2011, is posted on the public FAPIIS site. (Pre-April 15th data must be requested through FOIA, which POGO has done,² albeit without success.)

POGO is unable to fathom why CCR data pertaining to DUNS numbers (fields 206 and 207) and address and point of contract information of recipients' parent companies (fields 165 – 190) is exempt from FOIA. This is not privileged or confidential information, and we see no reason it should not be made available to the public.

POGO would like to see the GSA issue a supplemental notice offering a clearer rationale as to why certain CCR fields (especially 165 – 190) are exempt from FOIA. The GSA should also consider posting non-exempt CCR data on the Acquisition.gov website in an easier-to-read and more user-friendly format.

Sincerely,

A handwritten signature in black ink, appearing to read 'Neil Gordon', written in a cursive style.

Neil Gordon
Investigator
ngordon@pogo.org

² Project On Government Oversight, "POGO's FOIA Request for Contractor Responsibility Database Information," April 21, 2010. <http://www.pogo.org/pogo-files/letters/contract-oversight/co-fcmd-20100421.html>