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**GENERAL SERVICES ADMINISTRATION**

[Notice-PBS-2012-05; Docket 2012-0002; Sequence 16]

**Notice Pursuant to Executive Order 12600 of Receipt of Freedom of Information Act (FOIA) Requests for Real Property Lease Documents From GSA Leases with Private Sector Landlords**

**AGENCY:** General Services Administration (GSA).

**ACTION:** Notice.

**SUMMARY:** This notice provides submitters notice pursuant to Executive Order 12600 that the GSA, Public Buildings Service, Office of Leasing has received several specific FOIA requests for certain GSA real property lease documents with private sector landlords. This notice describes typical data elements contained in these lease documents, and their exemption status under FOIA in response to these specific FOIA requests.

**DATES:** Comments must be received on or before [insert date 30 days after FEDERAL REGISTER publication date].

**ADDRESSES:** Submit comments identified by "Notice-PBS-2012-05", by any of the following methods:

- Regulations.gov: <http://www.regulations.gov>.

Submit comments via the Federal eRulemaking portal by searching for "Notice-PBS-2012-05"." Select the link "Submit a Comment" that corresponds with "Notice-PBS-2012-

05." Follow the instructions provided at the "Submit a Comment" screen. Please include your name, company name (if any), and "Notice-PBS-2012-05" on your attached document.

- Fax: (202) 501-4067.

- Mail: General Services Administration,

Regulatory Secretariat (MVCB), ATTN: Hada Flowers/Notice-PBS-2012-05, 1275 First Street, NE., 7<sup>th</sup> Floor, Washington, DC 20417.

Instructions: Please submit comments only and cite "Notice-PBS-2012-05", in all correspondence related to this notice. All comments received will be posted without change to <http://www.regulations.gov>, including any personal and/or business confidential information provided.

**FOR FURTHER INFORMATION CONTACT:** John D. Thomas at (202) 501-2454.

**SUPPLEMENTARY INFORMATION:** GSA, the nation's largest public real estate organization, provides workspace for more than 1.2 million federal workers through its Public Buildings Service. Approximately half of the employees are housed in buildings owned by the federal government and half are located in over 8,100 separate leased properties (in over 8,500 leases), including buildings, land, antenna

sites, etc. across the country. In order to respond to these specific FOIA requests, GSA has identified 48 data elements that may be found in the requested lease documents. Some of these data elements are exempt from disclosure pursuant to Exemption 4 of the Freedom of information Act (FOIA), 5 U.S.C. 552(b)(4).

The following table contains a description of these data fields and their exempt status:

**FOIA Review of the CCR Data Fields**

Data field	Exempt status	Public comments
1) Lease Number	Not exempt under the <b>FOIA</b>	
2) Lease Award Date	Not exempt under the <b>FOIA</b>	
3) Leased Building Address (Including City State And Zip Code)	Not exempt under the <b>FOIA</b>	
4) Lease Effective Date	Not exempt under the <b>FOIA</b>	
5) Lease Expiration Date	Not exempt under the <b>FOIA</b>	

- 6) Length of Renewal Option Term(s) Not exempt under the **FOIA**
- 7) Renewal Option Rental Rate Exempt - **5 U.S.C. 522(b)(4)**
- 8) Information on Lease termination rights Not exempt under the **FOIA**
- 9) Operating Cost Rate (Including Itemized Components Of Operating Costs, Such As Fuel Costs, Utilities, And Janitorial Costs) Exempt - **5 U.S.C. 522(b)(4)**
- 10) Lease Agreement Rentable Square Feet (Rsf) Not exempt under the **FOIA**
- 11) Lease Agreement ANSI/BOMA Office Area Square Feet (Aboasf) Not exempt under the **FOIA**
- 12) Lease Structured Parking Spaces Not exempt under the **FOIA**

- |                                                                       |                                     |
|-----------------------------------------------------------------------|-------------------------------------|
| 13) Lease Surface<br>Parking Spaces                                   | Not exempt under the<br><b>FOIA</b> |
| 14) Percentage Of<br>Occupancy                                        | Not exempt under the<br><b>FOIA</b> |
| 15) Annual Rent<br>(Including Rent<br>Structure For Term<br>Of Lease) | Not exempt under the<br><b>FOIA</b> |
| 16) Lessor Name                                                       | Not exempt under the<br><b>FOIA</b> |
| 17) Lessor Address<br>(including City,<br>State, and Postal<br>Code)  | Exempt-5 U.S.C.<br>552(b)(6)        |
| 18) Lessor Phone                                                      | Exempt-5 U.S.C.<br>552(b)(6)        |
| 19) Lessor Fax                                                        | Exempt-5 U.S.C.<br>552(b)(6)        |
| 20) Lessor Email                                                      | Exempt-5 U.S.C.<br>552(b)(6)        |
| 21) Name of Person<br>Signing Lease                                   | Not exempt under the<br><b>FOIA</b> |

- 22) Name of Person            Not exempt under the  
    Witnessing Lease        **FOIA**  
    Signature
- 23) Payee Name                Exempt—5 U.S.C.  
                                  552 (b) (4)
- 24) Payee Address            Exempt—5 U.S.C.  
    (including City,        552 (b) (4)  
    State, and Postal  
    Code)
- 25) Payee Phone              Exempt—5 U.S.C.  
                                  552 (b) (4)
- 26) Payee Fax                 Exempt—5 U.S.C.  
                                  552 (b) (4)
- 27) Payee Email              Exempt—5 U.S.C.  
                                  552 (b) (4)

- 28) Unit Price Exempt - 5 U.S.C.  
Schedule (Including 522 (b) (4)  
Itemized  
Construction Costs  
For Tenant Buildout  
Items Such As  
Drywall  
Partitioning,  
Electrical Outlets,  
Doors, Carpeting,  
Locks, And  
Cabinets)
- 29) HVAC Overtime Not exempt under the  
Rate **FOIA**
- 30) Corporate Exempt-5 U.S.C.  
Resolution 552 (b) (4)
- 31) Partnership Exempt-5 U.S.C.  
Agreement 552 (b) (4)
- 32) Adjustment For Not exempt under the  
Vacant Premises **FOIA**  
Rate
- 33) Legal Not exempt under the  
Description Of **FOIA**

Building

- 34) Normal Not exempt under the  
Business Hours Of **FOIA**  
Building
- 35) Agency Name Exempt—5 U.S.C.  
552(b) (5) and (7)
- 36) Floor Plan Exempt—5 U.S.C.  
552(b) (5) and (7)
- 37) Identification Not exempt under the  
Of Building Floors **FOIA**  
Occupied
- 38) Tax Payer Exempt—5 U.S.C.  
Identification 552(b) (6)  
Number
- 39) Social Exempt—5 U.S.C.  
Security Number 552(b) (6)
- 40) DUNS Number Not exempt under the  
**FOIA**
- 41) DUNS+4 Exempt—5 U.S.C.  
552(b) (4)
- 42) Financial Exempt—5 U.S.C.  
Institution 552(b) (4)

- 43) Account Number Exempt-5 U.S.C.  
552 (b) (4)
- 44) ABA Routing ID Exempt-5 U.S.C.  
552 (b) (4)
- 45) Automated Exempt-5 U.S.C.  
Clearing House 552 (b) (4)  
(ACH) Network U.S.  
Phone
- 46) ACH Non-U.S. Exempt-5 U.S.C.  
Phone 552 (b) (4)
- 47) ACH Fax Exempt-5 U.S.C.  
552 (b) (4)
- 48) ACH E-Mail Exempt-5 U.S.C.  
552 (b) (4)

Dated: July 20, 2012

John D. Thomas  
Director, Center for Lease Policy

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