

## Chief FOIA Officer Report

### I. Steps Taken to Apply the Presumption of Openness

The guiding principle underlying the President's FOIA Memorandum and the Attorney General's FOIA Guidelines is the presumption of openness.

**1. Describe below the steps your agency has taken to ensure that that presumption is being applied to all decisions involving the FOIA. This section should include a discussion of the range of steps taken by your agency to apply this presumption, from publicizing the President's FOIA Memorandum and Attorney General's FOIA Guidelines and providing training on them, to implementing the presumption in response to FOIA requests and administrative appeals, with examples or statistics illustrating your agency's action in making discretionary releases of records or partial releases when full disclosure is not possible.**

The Inter-American Foundation (IAF) is an independent agency of the U. S. government that provides grants to nongovernmental and community-based organizations in Latin America and the Caribbean. The IAF receives very few Freedom of Information (FOIA) requests each year and its response time is consistently within the 20-day statutory limit. All requests are guided by a presumption of openness to ensure maximum governmental transparency, except where such transparency is circumscribed by exemptions to FOIA. In 2008, the IAF received a total of five FOIA requests and, in 2009, the IAF received eight, the median response times were 12 and 14 days, respectively. In 2009, the IAF had two full grants, zero partial grants/partial denials and zero full denials based on exemptions. In 2008, the IAF had one full grant, zero partial grants/partial denials and zero full denials based on exemptions. These requests are sent directly to the Office of General Counsel (OGC), which serves as the IAF's designated FOIA Requester Service Center. In 2009, the IAF devoted approximately 70 hours of staff time to FOIA program administration (responding to requests, reporting, etc.). This includes staff time from several personnel who work on the FOIA program as collateral duty. The IAF does not maintain a backlog and each request is handled diligently and addressed in a timely matter. Since the issuance of the new FOIA Guidelines, the IAF has strengthened its efforts to streamline the agency's processing of FOIA requests, primarily through its Web site, and increase the openness of agency disclosure in order to provide citizen-centered, results-oriented services to all FOIA requesters.

**2. Report whether your agency shows an increase in the number of requests where records have been released in full or where records have been released in part when compared with those numbers in the previous year's Annual FOIA Report.**

The IAF has not seen a notable increase of requests where records have been released in full or where records have been released in part compared with those numbers in previous year's Annual FOIA report. This is most likely due to the small number of requests the IAF receives annually and the fact that the IAF receives many FOIA requests per year for which it does not have any records. As noted above, in 2009, the IAF had two full grants, zero partial grants/partial denials and zero full denials based on exemptions. In 2008, the IAF had one full grant, zero partial grants/partial denials and zero full denials based on exemptions.

## **II. Steps Taken to Ensure that Your Agency has an Effective System for Responding to Requests**

**As the Attorney General emphasized in his FOIA Guidelines, “[a]pplication of the proper disclosure standard is only one part of ensuring transparency. Open government requires not just a presumption of disclosure, but also an effective system for responding to FOIA requests.” Describe here the steps your agency has taken to ensure that your system for responding to requests is effective and efficient. This section should include a discussion of how your agency has addressed the key roles played by the broad spectrum of agency personnel who work with FOIA professionals in responding to requests, including, in particular, steps taken to ensure that FOIA professionals have sufficient IT support.**

The IAF continues to streamline the agency's processing of FOIA requests, primarily through its Web site where the public and potential FOIA requesters can easily access the agency's FOIA resources and useful information, as well as allowing submissions of FOIA requests via email. The FOIA webpage is directly linked to the IAF homepage, from which is clearly visible and easily accessible. Additionally, the IAF has a FOIA-specific e-mail address which directs FOIA requests directly to the OGC without any intermediary steps. This e-mail address is checked daily, which allows for maximum efficiency in response time. IAF FOIA personnel and IAF IT support staff work together to efficiently post annual FOIA reports on its Web Site. IT support also maintains the technical aspects of the FOIA email address to ensure ready access by FOIA requestors.

## **III. Steps Taken To Increase Proactive Disclosures**

**Both the President and Attorney General focused on the need for agencies to work proactively to post information online without waiting for individual requests to be received. Describe here the steps your agency has taken to increase the amount of material that is available on your agency website, including providing examples of proactive**

## **disclosures that have been made since issuance of the new FOIA Guidelines.**

The IAF strives to provide citizen-centered, results-oriented services to all FOIA requesters. The IAF currently has a variety of information available on its FOIA Web site, including links to its FOIA Plan under Executive Order 13392, including the names, addresses and e-mails of relevant FOIA personnel of Services Center. In the spirit of disclosing information online, prior to receiving FOIA requests the IAF proactively makes its publications available, including Annual Reports and agency activities and programs. In addition, the IAF posts online records for which it has frequently received FOIA requests. Since the issuance of the new FOIA Guidelines, the IAF has taken steps to make its Web site even more user-friendly and to be more efficient at posting the most current information up on its FOIA Web site.

### **IV. Steps Taken To Greater Utilize Technology**

**A key component of the President's Memorandum was the direction to "use modern technology to inform citizens about what is known and done by their Government." In addition to using the internet to make proactive disclosures, agencies should also be exploring ways to utilize technology in responding to requests. For this section of the Chief FOIA Officer Report, please answer the following questions:**

#### **1.) Does your agency currently receive requests electronically.**

The IAF has a FOIA-specific e-mail address, and the IAF regularly receives FOIA requests electronically.

#### **2.) If not, what are the current impediments to your agency establishing a mechanism to receive requests electronically.**

N/A

#### **3.) Does your agency track requests electronically.**

The IAF tracks FOIA request electronically, and maintains an up-to-date log which facilitates complete, timely response and status updates.

#### **4.) If not, what are the current impediments to your agency utilizing a system to track requests electronically.**

N/A

**5.) Does your agency use technology to process requests.**

The IAF routinely responses to FOIA requests electronically via e-mail, in response to email requests as appropriate in response to requests received by mail. Moreover, FOIA personnel utilize email to disseminate, gather and collect information regarding FOIA requests that have been received. FOIA requests are tracked in an Excel spreadsheet to maximize coordination and ensure timely response as well as provide status updates as requested.

**6.) If not, what are the current impediments to your agency utilizing technology to process requests.**

N/A

**7.) Does your agency utilize technology to prepare you agency Annual FOIA Report.**

The IAF uses both an electronic internal tracking mechanisms and computer technology to prepare its annual FOIA Report. The IAF also submits its annual FOIA report for review and clearance via email and posits annual reports on its website once they have been finalized.

**8.) If not, what are the current impediments to your agency utilizing technology in preparing your Annual FOIA Report.**

N/A

**V. Steps Taken to Reduce Backlogs and Improve Timeliness in Responding to Requests**

**Improvements to timeliness in responding to pending FOIA requests and reductions in backlogs is an ongoing agency effort. Both the President and the Attorney General emphasized the importance of improving timeliness in responding to requests. Section XII of your Annual FOIA Report includes figures that show your agency's backlog of pending requests and administrative appeals for the previous fiscal year and for this current fiscal year. Your Chief FOIA Officer Report should address the following elements.**

**1. If you have a backlog, report here whether your backlog is decreasing. That reduction should be measured both in terms of the numbers of backlogged requests and administrative appeals that remain**

**pending at the end of the fiscal year, and in terms of the age of those requests and appeals.**

The IAF did not have a backlog of requests and appeals in FY 08 and FY 09.

***2. If there has not been a reduction in the backlog describe why that has occurred and what steps your agency is taking to bring about a reduction.***

N/A

**3. Describe the steps your agency is taking to improve timeliness in responding to requests and to administrative appeals.**

The IAF response to all requests within the 20 day statutory time period, but it is consistently looking for ways to better expedite its response time.