

2011 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 the steps your agency has taken to ensure that the presumption of openness is being applied to all decisions involving the FOIA. To do so, you should answer the questions listed below and then include any additional information you would like to describe how your agency is working to apply the presumption of openness.

a. Describe how the President's FOIA Memorandum and the Attorney General's FOIA Guidelines have been publicized throughout your agency.

The Inter-American Foundation (IAF or agency) 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. In Fiscal Year (FY) 2010, the IAF received nine FOIA requests and in FY 2009 it received seven. The IAF's Office of General Counsel and Congressional Affairs (OGC), comprised of three attorneys, also serves as the IAF's designated FOIA Requester Service Center. All three attorneys work on the IAF's FOIA program as collateral duty as a small component of their overall responsibilities. Information regarding President's FOIA Memorandum and the Attorney General's FOIA Guidelines is primarily disseminated among IAF FOIA staff through email and staff meetings. To the extent that the participation of other staff is necessary in responding to FOIA requests, the new FOIA guidance, including the presumption of openness, is discussed with them as appropriate.

b. What training has been attended and/or conducted on the new FOIA Guidelines?

IAF FOIA staff did not attend or conducted any training on the new FOIA Guidelines in 2010.

c. How has your agency created or modified your internal guidance to reflect the presumption of openness?

Since the issuance of the new FOIA Guidelines, the IAF has strengthened its efforts to streamline the agency's processing of FOIA requests, primarily by uploading a variety of documents on its website to increase proactive disclosure and by promoting openness in agency disclosure decision-making in order to provide citizen-centered, results-oriented services to all FOIA requesters.

d. To what extent has your agency made discretionary releases of otherwise exempt information?

In FY 2010 the IAF received and processed a total of nine FOIA requests. Two FOIA requests were granted in full, two were granted in part, the agency had no records responsive in four, and one was referred in whole to another agency. In all cases in which information was withheld from disclosure via redaction, the decision was based on a determination that the information requested had to be withheld as it was covered by statute. In one request, information was withheld based on Exemption 3, which incorporates nondisclosures provisions included in other federal statutes, and the other request fell within the parameters of Exemption 4, which protects confidential or financial information submitted to the government that is privileged or confidential. Bearing in mind the Presidents guidance regarding the presumption of openness, even when protected information was withheld, the IAF released the remaining portion of the record that was not covered by a statutory exemption.

e. What exemptions would have covered the information that was released as a matter of discretion?

None.

f. How does your agency review records to determine whether discretionary releases are possible?

The agency provides citizen-centered, results-oriented services to all FOIA requesters. In order to determine whether a discretionary release may be possible, FOIA staff consult the Department of Justice FOIA reference materials (such as the United States Department of Justice Guide to the Freedom of Information Act) and then examines the possibility of disclosure through the lens of the presumption of openness.

g. Describe any other initiatives undertaken by your agency to ensure that the presumption of openness is being applied.

The IAF is currently undergoing a re-design of the agency's website to provide even greater accessibility to information, such as more clearly posted links to agency FOIA materials and information.

2. Report the extent to which the numbers of requests where records have been released in full and the numbers of requests where records have been released in part has changed from those numbers as reported in your previous year's Annual FOIA Report.

The IAF has not seen a notable change in the number of requests in which records have been released in full or 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 to which it does not have any records that

are responsive. In 2010, the IAF had two full grants, two partial grants/partial denials in which certain information contained in the record was required to be withheld and zero full denials based on exemptions. In 2009, the IAF had two full grants, no partial grants/partial denials and zero full denials based on exemptions.

II. Steps Taken to Ensure that Your Agency has an Effective System In Place 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. To do so, answer the questions below and then include any additional information that you would like to describe how your agency ensures that your FOIA system is efficient and effective.

a. Do FOIA professionals within your agency have sufficient IT support?

In general, the IAF FOIA professionals within the agency have sufficient Information Technology (IT) support. However, the agency has recently undergone a computer server replacement process that has disrupted agency IT capabilities across-the-board, including with regard to the FOIA program's IT access. This process is drawing to a close and the last few kinks in the agency's IT access are being ironed out so the FOIA program's access has largely been restored and should be fully functional shortly. IT support maintains the technical aspects of the FOIA email address and IAF FOIA webpage to ensure ready access to agency records and FOIA personnel by FOIA requestors.

b. Describe how your agency's FOIA professionals interact with your Open Government Team.

The IAF's FOIA professionals and the Open Government Team primarily interact in order to post the IAF's Annual FOIA Report or Chief FOIA Officer Report on the agency's website.

c. Describe the steps your agency has taken to assess whether adequate staffing is being devoted to responding to FOIA requests.

Because the IAF receives so few FOIA requests each fiscal year, maintains no backlog of FOIA requests and responds to all requests in a timely manner, there is currently no concerns regarding FOIA staffing as assessed by the agency.

d. Describe any other steps your agency has undertaken to ensure that your FOIA system operates efficiently and effectively.

The IAF strives to streamline the agency's processing of FOIA requests however it can, primarily through its website 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 agency's FOIA personnel without any intermediary steps. This email address is checked routinely, which allows for maximum efficiency in response time.

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. In doing so, answer the questions listed below and describe any additional steps taken by your agency to make proactive disclosures of information.

a. Has your agency added new material to your agency website since last year?

Yes.

b. What types of records have been posted?

Throughout 2010 the IAF uploaded a variety of documents to its website to include openness and transparency with regard to agency activities, including the IAF's Annual FOIA Reports in PDF and XML formats, the IAF's 2010 Chief FOIA Report, the IAF's Grassroots Development Journal, the agency's Annual Report, and information regarding the grants awarded during the last fiscal year.

c. Give examples of the types of records your agency now posts that used to be available only by making a FOIA request for them.

In the spirit of proactively disclosing records online prior to receiving a FOIA request, the IAF proactively online records for which it has frequently received FOIA requests, such as the names of the IAF Government Purchase Cardholders.

d. What system do you have in place to routinely identify records that are appropriate for posting?

The IAF FOIA team reviews agency documents periodically to assess whether there is a need to proactively make a document available on its website. Notably, however, the majority of FOIA requests the IAF receives are for information which no record exists and many of the remaining requests vary widely as to their content and the records requested.

e. How do you utilize social media in disseminating information?

The IAF does not currently use any social media to disseminate information, although this approach is under consideration.

f. Describe any other steps taken to increase proactive disclosures at your agency.

The IAF is currently not undertaking any other steps to increase proactive disclosure.

IV. Steps Taken To Greater Utilize Technology

A key component of the President's FOIA 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. In 2010 agencies reported widespread use of technology in handling FOIA requests. For this section of your Chief FOIA Officer Report for 2011, please answer the following more targeted questions:

1. Electronic receipt of FOIA requests:

- a. What proportion of the components within your agency which receive FOIA requests have the capability to receive such requests electronically?**

Because the IAF is a very small agency and thus has a very limited FOIA staff, there is only one FOIA component for the entire agency. All three IAF FOIA staff members have the capability to receive FOIA requests electronically.

- b. To what extent have you increased the number of components doing so since the filing of your last Chief FOIA Officer Report?**

Because the entire IAF's FOIA team has had access to receive FOIA requests electronically for several years and the agency only has one FOIA component, there has been no increase since last year's Chief FOIA Officer Report.

c. What methods does your agency use to receive requests electronically?

The IAF has a FOIA-specific e-mail address that directs FOIA requests to the agency's FOIA personnel without any intermediary steps. This e-mail address is checked routinely, which allows for maximum efficiency in response time.

2. Electronic tracking of FOIA requests:

a. What proportion of components within your agency which receive FOIA requests have the capability to track such requests electronically?

All three members of the IAF FOIA team have the capability to track FOIA requests electronically.

b. To what extent have you increased the number of components doing so since the filing of your last Chief FOIA Officer Report?

Because the entire IAF team has had the capacity to track FOIA requests electronically for several years, there has been no increase since last year's Chief FOIA Officer Report.

c. What methods does your agency use to track requests electronically?

IAF uses a commercial off the shelf spreadsheet to maximize coordination among FOIA and agency personnel and ensure timely response to requests as well as to enable status updates on requests processing as requested.

3. Electronic processing of FOIA requests:

a. What proportion of components within your agency which receive FOIA requests have the capability to process such requests electronically?

All three members of the IAF FOIA team have the capability to process requests electronically. Email and electronic access to agency records are employed routinely to response to requests.

b. To what extent have you increased the number of components doing so since the filing of your last Chief FOIA Officer Report?

Because the entire IAF FOIA team has had the capacity to process request electronically for some time, there has been no increase since last year's Chief FOIA Officer Report.

c. What methods does your agency use to process requests electronically?

In conjunction with email, the IAF uses a commercial off the shelf program for processing requests electronically. Moreover, FOIA personnel utilize email to disseminate, gather and collect information regarding FOIA requests that have been received. The IAF website also provides access to electronic records as well.

4. Electronic preparation of your Annual FOIA Report:

a. What type of technology does your agency use to prepare your agency Annual FOIA Report, i.e., specify whether the technology is FOIA-specific or a generic data-processing system.

The IAF uses a commercial off the shelf data-processing system to prepare its annual FOIA Report. The IAF also submits its annual FOIA report for review and clearance via email and post its annual reports on its website once they have been finalized.

b. If you are not satisfied with your existing system to prepare your Annual FOIA Report, describe the steps you have taken to increase your use of technology for next year.

Overall, the IAF FOIA team is satisfied with the existing system it uses to prepare the agency's Annual FOIA Reports.

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 are both ongoing agency efforts. The President and the Attorney General have 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 past two fiscal years. You should refer to those numbers when completing this section of your Chief FOIA Officer Report. In this section you should address the following elements.

The IAF has not had backlog of requests or appeals and has responded to all FOIA requests within the statutory time period of 20 days in recent history, including in FY 10 and FY 09 or FY 08.

1. If your agency has a backlog, report here whether that backlog is decreasing. That reduction should be measured in two ways. First, report whether the number of backlogged requests and backlogged administrative appeals that remain pending at the end of the fiscal year decreased or increased, and by how many, when compared with last fiscal year. Second,

report whether your agency closed in Fiscal Year 2010 the ten oldest of those pending requests and appeals from Fiscal Year 2009, and if not, report how many of them your agency did close.

N/A

2. If there has not been a reduction in the backlog as measured by either of these metrics, describe why that has occurred. In doing so, answer the following questions and then include any other additional explanation:

a. Is the backlog increase a result of an increase in the number of incoming requests or appeals?

N/A

b. Is the backlog increase caused by a loss of staff?

N/A

c. Is the backlog increase caused by an increase in the complexity of the requests received?

N/A

d. What other causes, if any, contributed to the increase in backlog?

N/A

3. Describe the steps your agency is taking to reduce any backlogs and to improve timeliness in responding to requests and administrative appeals. In doing so answer the following questions and then also include any other steps being taken to improve timeliness.

a. Does your agency routinely set goals and monitor the progress of your FOIA caseload?

N/A

b. Has your agency increased its FOIA staffing?

N/A

c. Has your agency made IT improvements to increase timeliness?

N/A

d. Has your agency Chief FOIA Officer been involved in overseeing your agency's capacity to process requests?

N/A

Spotlight on Success

Out of all the activities undertaken by your agency in this last year to increase transparency, describe here one success story that you would like to highlight as emblematic of your efforts.

The IAF strives to provide citizen-centered, results-oriented services to all FOIA requesters and the agency's response time is consistently within the 20-day statutory limit. Decisionmaking about responding to requests is guided by a presumption of openness to ensure maximum governmental transparency, except where such transparency is circumscribed by exemptions to FOIA. The agency does not have a backlog nor does it have any requests or appeals currently pending.