

### **Time frame for Report**

Unless otherwise noted, agency 2016 Chief FOIA Officer Report should address agency activities that have occurred since the filing of last year's Report, which was March 16, 2015, up until the filing of the 2016 Report (March 14, 2016). Thus, the general reporting period for the Chief FOIA Officer Reports is March 2015 to March 2016.

### **Content of 2016 Chief FOIA Officer Reports**

**Name and Title of your Agency's Chief FOIA Officer:** Paul Zimmerman, General Counsel

#### **Section 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.

Please answer the following questions in order to describe the steps your agency has taken to ensure that the presumption of openness is being applied to all decisions involving the FOIA. You may also include any additional information you would like to describe how your agency is working to apply the presumption of openness.

##### *FOIA Training:*

1. Did your FOIA professionals or the personnel at your agency who have FOIA responsibilities attend any FOIA training or conference during the reporting period such as that provided by the Department of Justice?

Yes, the Associate General Counsel attended a virtual training by viewing the Department of Justice "Executive Briefing on the Freedom of Information Act" video during the reporting period.

2. Provide an estimate of the percentage of your FOIA professionals and staff with FOIA responsibilities who attended substantive FOIA training during this reporting period.

50%- we have two FOIA professionals and one received the "Executive Briefing" described above.

3. OIP has directed agencies to "take steps to ensure that all of their FOIA professionals attend substantive FOIA training at least once throughout the year." If your response to the previous question is that less than 80% of your FOIA professionals attending training, please explain your agency's plan to ensure that all FOIA professionals received or attend substantive FOIA training during the next reporting year.

The Chief FOIA Officer assesses additional training needs and invites FOIA professionals to research and attend the appropriate trainings from the courses offered by OIP and OLE (<http://www.justice.gov/oip/training-materials.html>).

##### *Discretionary Releases:*

4. Does your agency have a distinct process or system in place to review records for discretionary release? If so, please briefly describe this process. If your agency is decentralized, please specify whether all components at your agency have a process or system in place?

As part of its normal FOIA review process, and in accordance with the presumption of openness, the IAF generally releases all documents that are responsive to a FOIA request unless there is a determination of foreseeable harm or legal bar against doing so. Such releases are made despite the formal applicability of a FOIA exemption.

5. During the reporting period did your agency make any discretionary releases of otherwise exempt information?

No

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

N/A

7. Provide a narrative description, or some examples, of the types of information that your agency released as a matter of discretion during the reporting year.

N/A

8. If your agency was not able to make any discretionary releases of information, please explain why.

No, because the agency never determined that any of the requested information could have been withheld under a FOIA exemption.

*Other Initiatives:*

9. If there are any other initiatives undertaken by your agency to ensure that the presumption of openness is being applied, please describe them here.

The IAF is already ensuring that the presumption of openness is being applied.

**Section 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." It is essential that agencies effectively manage their FOIA program.

Please answer the following questions to describe the steps your agency has taken to ensure that your management of your FOIA program is effective and efficient. You should also include any additional information that describes your agency's efforts in this area.

*Processing Procedures:*

1. For Fiscal Year 2015, what was the average number of days your agency reported for adjudicating requests *for expedited processing*? Please see Section VIII.A. of your agency's Fiscal Year 2015 Annual FOIA Report.

The IAF did not adjudicate any requests for expedited processing in FY 2015.

2. If your agency's average number of days to adjudicate requests for expedited processing was above ten calendar days, please describe the steps your agency will take to ensure that requests for expedited processing are adjudicated within ten calendar days or less.

N/A

3. On July 2, 2015, OIP issued new guidance to agencies on the proper procedures to be used in the event an agency has a reason to inquire whether a requester is still interested in the processing of his or her request. Please confirm here that to the extent your agency may have had occasion to send a "still interested" inquiry, it has done so in accordance with the new guidelines for doing so, including affording requesters thirty working days to respond.

The IAF did not send any "still interested" inquiries to any requesters.

*Requester Services:*

4. Agency FOIA Requester Service Centers and FOIA Public Liaisons serve as the face and voice of an agency. In this capacity they provide a very important service for requesters, informing them about how the FOIA process works and providing specific details on the handling of their individual requests. The FOIA also calls on agency FOIA Requester Service Centers and FOIA Public Liaisons to assist requesters in resolving disputes. Please explain here any steps your agency has taken to strengthen these services to better inform requesters about their requests and to prevent or resolve FOIA disputes.

Fortunately, the IAF has not had to resolve any FOIA disputes. Due to the low volume of requests we receive, it is very easy for our office to remain in contact with each FOIA requester.

*Other Initiatives:*

5. If there are any other steps your agency has undertaken to ensure that your FOIA system operates efficiently and effectively, such as conducting self-assessments to find greater efficiencies, improving search processes, eliminating redundancy, etc., please describe them here.

The General Counsel serves as Chief FOIA Officer for the IAF. As a very small agency with so few requests, the IAF has been able to successfully manage its FOIA program efficiently and effectively with no backlog of FOIA requests or appeals.

The IAF strives to streamline the agency's processing of FOIA requests however it can. It has revised its website, where the public and potential FOIA requesters can easily access the agency's FOIA resources and useful information, and allows submission of FOIA requests via email. The FOIA webpage is directly linked to the IAF homepage, from which it is clearly visible and easily accessible. Additionally, the IAF has a FOIA-specific e-mail address that 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.

### **Section III: Steps Taken to Increase Proactive Disclosures**

Both the President and Attorney General's FOIA memoranda focused on the need for agencies to work proactively to post information online without waiting for individual requests to be received.

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IAF Chief FOIA Officer: Paul Zimmerman, General Counsel

Please answer the following questions to describe the steps your agency has taken both to increase the amount of material that is available on your agency websites. In addition to the questions below, you should also describe any additional steps taken by your agency to make and improve proactive disclosures of information.

*Posting Material:*

1. Describe your agency's process or system for identifying "frequently requested" records that should be posted online under Subsection (a)(2) of the FOIA.

FOIA personnel work with the IAF's Office of Government and External Affairs to publish "frequently requested" information on our website's FOIA E-reading Room.

2. Does your agency have a distinct process or system in place to identify records for proactive disclosures? If so, please describe your agency's process or system.

In an ongoing manner, the IAF systematically identifies, publishes, and posts new material in a user-friendly format for the general public. FOIA personnel work with the IAF's Office of Government and External Affairs to utilize the agency website, publications, and other forms of communication to make such material available.

3. When making proactive disclosures of records, are your agency's FOIA professionals involved in coding the records for Section 508 compliance or otherwise preparing them for posting? If so, provide an estimate of how much time is involved for each of your FOIA professionals and your agency overall.

The IAF's FOIA professionals are not involved in coding the records for Section 508 compliance or otherwise preparing them for posting.

4. Has your agency encountered challenges that make it difficult to post records you otherwise would like to post?

The IAF has not encountered any such challenges.

5. If so, please briefly explain those challenges.

N/A

6. Provide examples of material that your agency has proactively disclosed during the past reporting year, including links to the posted material.

Some of the material made available on our website (<http://www.iaf.gov/>) includes the IAF's Annual FOIA Reports in PDF and XML formats, the agency's institutional video, other videos on IAF activities, the IAF's Grassroots Development Journal, the agency's Annual Report, and information regarding the grants awarded during the last fiscal year.

7. Did your agency use any means to publicize or highlight important proactive disclosures for public awareness? If yes, please describe those efforts.

The IAF has utilized social media including Twitter ([@IAFgrassroots](#)), Facebook, Instagram, Vimeo, YouTube, and LinkedIn to proactively disclose information about agency activities.

***Other Initiatives:***

8. If there are any other steps your agency has taken to increase proactive disclosures, please describe them here.

Other than those described above, the IAF has not taken any other steps to increase proactive disclosures.

**Section 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.

Please answer the following questions to describe how your agency is utilizing technology to improve its FOIA administration and the public's access to information. You should also include any additional information that describes your agency's efforts in this area.

*Making Posted Material More Useful:*

1. Beyond posting new material, is your agency taking steps to make sure the posted information more useful to the public, especially to the community of individuals who regularly access your agency's website? Steps can include soliciting feedback on the content and presentation of posted material, making information available through mobile applications, providing explanatory material, etc.

The IAF has continued to expand its website to provide more helpful and detailed information to individuals who regularly access it and improves the site's overall search capabilities. As we previously mentioned, the IAF has utilized social media including Twitter ([@IAFgrassroots](#)), Facebook, Instagram, Vimeo, YouTube, and LinkedIn to proactively disclose information about agency activities.

2. If yes, please provide examples of such improvements. If your agency is already posting material in its most useful format, please describe those efforts.

The website provides contact information for feedback from visitors. As previously mentioned, future plans to further provide the public with information on the IAF include the creation of a Facebook page and an Instagram account.

*Other Initiatives:*

3. Did your agency post all of the required quarterly FOIA reports for Fiscal Year 2015?

Yes, the IAF successfully posted all four quarterly reports for Fiscal Year 2015.

4. If your agency did not successfully post all quarterly reports, with information appearing on FOIA.gov, please explain why and provide your agency's plan for ensuring that such reporting is successfully accomplished for Fiscal Year 2015.

N/A

5. Do your agency's FOIA professionals use e-mail or other electronic means to communicate with requesters when feasible? See OIP Guidance, "[The Importance of Good Communication with FOIA Requesters 2.0: Improving Both the Means and the Content of Requester Communications](#)." (Nov. 22, 2013) If yes, what are the different types of electronic means utilized by your agency to communicate with requesters?

The IAF routinely responds to FOIA requests electronically via e-mail, and when appropriate, also responds via email to requests received by regular mail.

6. If your agency does not communicate electronically with requesters as a default, are there any limitation or restrictions for the use of such means? If yes, does your agency inform requesters about such limitations?

N/A

### **Section V: Steps Taken to Improve Timeliness in Responding to Requests and Reducing Backlogs**

The President's FOIA Memorandum and the Attorney General's 2009 FOIA Guidelines have emphasized the importance of improving timeliness in responding to requests. This section of your Chief FOIA Officer Report addresses both time limits and backlog reduction. Backlog reduction is measured both in terms of numbers of backlogged requests or appeals and by looking at whether agencies closed their ten oldest requests, appeals, and consultations.

*For the figures required in this Section, please use those contained in the specified sections of your agency's 2015 Annual FOIA Report and, when applicable, your agency's 2014 Annual FOIA Report.*

**Simple Track:** Section VII.A of your agency's Annual FOIA Report, entitled "FOIA Requests – Response Time for All Processed Requests," includes figures that show your agency's average response times for processed requests. For agencies utilizing a multi-track system to process requests, there is a category for "simple" requests, which are those requests that are placed in the agency's fastest (non-expedited) track, based on the low volume and/or simplicity of the records requested.

1. Does your agency utilize a separate track for simple requests?

No, we use the same tracking system for all of our FOIA requests.

2. If so, for your agency overall, for Fiscal Year 2015, was the average number of days to process simple requests twenty working days or fewer?

N/A

3. Please provide the percentage of requests processed by your agency in Fiscal Year 2015 that were placed in your simple track.

N/A

4. If your agency does not track simple requests separately, was the average number of days to process non-expedited requests twenty working days or fewer?

Yes, the average was 2.3 days

**Backlogs:** Section XII.A of your agency's Annual FOIA Report, entitled "Backlogs of FOIA Requests and Administrative Appeals" shows the numbers of any backlogged requests or appeals from the fiscal

year. You should refer to these numbers from your Annual FOIA Reports for both Fiscal Year 2014 and Fiscal Year 2015 when completing this section of your Chief FOIA Officer Report.

### ***Backlogged Requests***

5. If your agency had a backlog of requests at the close of Fiscal Year 2015, did that backlog decrease as compared with Fiscal Year 2014?

N/A. The IAF did not have a backlog of requests in FY 14 and FY 15.

6. If not, explain why and describe the causes that contributed to your agency not being able reduce its backlog. When doing so, please also indicate if any of the following were contributing factors:

- An increase in the number of incoming requests.
- A loss of staff.
- An increase in the complexity of the requests received. If possible, please provide examples or briefly describe the types of complex requests contributing to your backlog increase.
- Any other reasons – please briefly describe or provide examples when possible.

N/A

7. If you had a request backlog please report the percentage of requests that make up the backlog out of the total number of requests received by your agency in Fiscal Year 2015.

N/A

### **BACKLOGGED APPEALS**

8. If your agency had a backlog of appeals at the close of Fiscal Year 2015, did that backlog decrease as compared with the backlog reported at the end of Fiscal Year 2014?

N/A. The IAF did not have a backlog of appeals in FY14 and FY15.

9. If not, explain why and describe the causes that contributed to your agency not being able reduce its backlog. When doing so, please also indicate if any of the following were contributing factors:

- An increase in the number of incoming requests.
- A loss of staff.
- An increase in the complexity of the requests received. If possible, please provide examples or briefly describe the types of complex requests contributing to your backlog increase.
- Any other reasons – please briefly describe or provide examples when possible.

N/A

10. If you had an appeal backlog please report the percentage of appeals that make up the backlog out of the total number of requests received by your agency in Fiscal Year 2015. If your agency did

not receive any requests in Fiscal Year 2015 and/or has no request backlog, please answer with "N/A."

N/A

**Status of Ten Oldest Requests, Appeals, and Consultations:** Section VII.E, entitled "Pending Requests – Ten Oldest Pending Requests," Section VI.C.(5), entitled "Ten Oldest Pending Administrative Appeals," and Section XII.C., entitled "Consultations on FOIA Requests – Ten Oldest Consultations Received from Other Agencies and Pending at Your Agency," show the ten oldest pending requests, appeals, and consultations. You should refer to these numbers from your Annual FOIA Reports for both Fiscal Year 2015 and Fiscal Year 2015 when completing this section of your Chief FOIA Officer Report.

### **TEN OLDEST REQUESTS**

11. In Fiscal Year 2015, did your agency close the ten oldest requests that were pending in your Fiscal Year 2014 Annual FOIA Report?

There were no ten oldest requests to close.

12. If no, please provide the number of these requests your agency was able to close by the end of the fiscal year, as listed in Section VII.E of your Fiscal Year 2014 Annual FOIA Report. If you had less than ten total oldest requests to close, please indicate that.

N/A

13. Of the requests your agency was able to close from your ten oldest, please indicate how many of these were closed because the request was withdrawn by the requester. If any were closed because the request was withdrawn, did you provide any interim responses prior to the withdrawal?

N/A

### **TEN OLDEST APPEALS**

14. In Fiscal Year 2015, did your agency close the ten oldest appeals that were pending as of the end of Fiscal Year 2014 Annual FOIA Report?

There were no ten oldest appeals to close.

15. If no, please provide the number of these appeals your agency was able to close by the end of the fiscal year, as listed in Section VII.C.(5) of your Fiscal Year 2014 Annual FOIA Report. If you had less than ten total oldest appeals to close, please indicate that.

N/A

### **TEN OLDEST CONSULTATIONS**

16. In Fiscal Year 2015, did your agency close the ten oldest consultation that were reported pending in your Fiscal Year 2014 Annual Report?

There were no ten oldest consultations to close.

17. If no, please provide the number of these consultations your agency was able to close by the end of the fiscal year, as listed in Section XII.C. of your Fiscal Year 2014 Annual FOIA Report. If you had less than ten total oldest consultation to close, please indicate that.

N/A

***Additional Information on Ten Oldest Requests, Appeals, and Consultations & Plans:***

18. Briefly explain any obstacles your agency faced in closing its ten oldest requests, appeals, and consultations from Fiscal Year 2014.

N/A

19. If your agency was unable to close any of its ten oldest requests because you were waiting to hear back from other agencies on consultations you sent, please provide the date the request was initially received by your agency, the date when your agency sent the consultation, and the date when you last contacted the agency where the consultation was pending.

N/A

20. If your agency did not close its ten oldest pending requests, appeals, or consultations, please provide a plan describing how your agency intends to close those "ten oldest" requests, appeals, and consultations during Fiscal Year 2016.

N/A

**Use of FOIA's Law Enforcement "Exclusions"**

1. Did your agency invoke a statutory exclusion, 5 U.S.C. § 552(c)(1), (2), (3), during Fiscal Year 2015?

No.

2. If so, please provide the total number of times exclusions were invoked.

N/A