

**Department of the Interior**  
**Departmental Manual**  
Freedom of Information Act Handbook  
(383 DM 15)

---

**Effective Date:** December 20, 2007

**Chapter 8:** Compliance Procedures

**Originating Office:** Office of the Chief Information Officer

---

8.1 General.

A. The Chief Information Officer, also designated as the Chief FOIA Officer, is delegated authority for administering the Freedom of Information Act (5 U.S.C. 552) (FOIA) and related laws in the Department, and ensuring that bureaus comply with the FOIA, Executive Order (EO) 13392, Improving Agency Disclosure of Information, and all DOI policies and procedures accordingly. The CFO is also responsible for the development and implementation of compliance procedures.

B. The Departmental FOIA Officer, located in the Information Management Division (IMD), OCIO, has overall responsibility for developing and administering the DOI FOIA Program. This includes developing regulations, guidelines, procedures, and standards for the Department's FOIA program; providing program oversight and technical assistance and training to employees to ensure compliance with the Act; and preparing the Department's annual report to the Department of Justice (DOJ) and Congress.

C. All bureaus must comply with the FOIA and related laws and Executive orders and DOI's policies, procedures, and guidance regarding implementation of the FOIA in DOI, including DOI's FOIA regulations (43 CFR Part 2), the Departmental FOIA Handbook (383 DM 15), guidance issued by the DOI FOIA Office, the Office of the Solicitor, DOJ, and OMB.

D. General Departmental and bureau responsibilities are provided in the DOI FOIA Handbook, Chapter 1, paragraph 1.6. Additional bureau responsibilities are provided in Chapter 2, paragraph 2.3 of this Handbook.

8.2 Web Compliance. In accordance with Chapter 1, paragraph 1.9, of this Handbook, each Bureau FOIA Officer is responsible for developing and maintaining a FOIA website in compliance with E-FOIA. The bureau's website will comply with the

mandates affecting web publishing in DOI, e.g., web privacy policy, Section 508 of the Rehabilitation Act (29 U.S.C. 794d) as amended, and OCIO Bulletin 2001-06. See paragraphs 1.7 through 1.9 of Chapter 1 of this Handbook for additional information regarding FOIA website compliance.

### 8.3 Electronic FOIA Tracking System (EFTS).

A. All bureaus with Internet access are required to use the electronic FOIA tracking system (EFTS) to track and manage their FOIA and Privacy Act requests. The EFTS will assist bureaus/offices in processing their FOIA and Privacy Act (PA) requests more efficiently, ensure consistency in responses, and facilitate preparation of the annual report to DOJ/Congress.

B. All users of the EFTS will comply with the requirements of the FOIA, Privacy Act, Federal Records Act, Federal Information Security Management Act (FISMA), DOI's policies and procedures implementing these laws, and the EFTS Business Rules and Guidelines. The EFTS is covered by three DOI Privacy Act systems of records notices: DOI-71, Electronic FOIA Tracking System and FOIA Case Files; DOI-69, FOIA Appeals; and DOI-57, Privacy Act Files. Each FOIA Officer must complete a training class on the EFTS before using the system. All FOIA personnel will be required to complete a training class on how to use the system before being given a user name and password. Ultimately, the Bureau FOIA Officer will be responsible for ensuring users within the respective Bureaus/Offices have received the appropriate training on the system before issuing a password.

C. Bureau FOIA Officers will review the list of users for their respective bureau on a monthly basis. They will forward the user list, both active and deactivated, that contains the user name and IP number to the Departmental FOIA Office no later than the 5th calendar day of every month. (This list is generated in the EFTS.) If an EFTS User leaves the Bureau, the Bureau FOIA Officer must ensure his/her access to the EFTS is terminated immediately. Bureau FOIA Officers will notify the Departmental EFTS Project Manager when an individual's access to the system has been terminated so that the System Security Manager can in turn be notified to remove his/her IP address from the access control list and firewall. Under no circumstances is anyone to give access to the EFTS to any FOIA personnel without providing the Departmental EFTS Project Manager with an updated access list. User access to the system will be reviewed when appropriate and guidance re-issued when necessary. As a reminder, this system is designed to assist DOI's FOIA Officers and other FOIA personnel in tracking and managing their FOIA/Privacy Act requests more efficiently. Masks have been set and permission levels established to ensure that only those employees with a "need to know"

have access to the data covered by the Privacy Act. Only designated FOIA personnel and technical support personnel with static IP addresses are authorized to have access to the EFTS.

D. See Chapter 2, paragraphs 2.1 through 2.3 and 2.7, of this Handbook for further guidance regarding use of the EFTS.

#### 8.4 Annual Report to Congress.

A. In accordance with 5 U.S.C. 552 (e), on or before February 1 of each year, the Department of the Interior (DOI) is required to submit to the Office of Information and Privacy, DOJ, a report covering the agency's FOIA activities for the preceding fiscal year (see the DOI FOIA Handbook, Chapter 7, paragraph 7.1 for additional information).

B. The DOI FOIA Office is responsible for preparing the Department's annual report based on input provided by the bureaus.

C. Bureaus are required to submit a report of their FOIA activities to the DOI FOIA Office by November 30 each year. Each Bureau FOIA Officer is responsible for ensuring that the bureau's data is accurate, consistent, and complete before submitting their report to the DOI FOIA Office. The Bureau will also ensure that its report is submitted on time so that the Department can meet the February 1 due date to the Attorney General.

#### 8.5 Backlogs.

A. A primary focus of FOIA Executive Order (EO) 13392, Improving Agency Disclosure of Information, is the reduction and/or elimination of agency backlogs in an effort to improve customer service. Bureau FOIA Officers are responsible for monitoring their FOIA backlogs and providing monthly reports to the DOI FOIA Office regarding any outstanding requests. Monthly reports are due to the DOI FOIA Office on the 10<sup>th</sup> of every month. A perfected FOIA request that has not been responded to within 20 workdays, or 30 workdays if an extension has been taken, is considered "backlog."

B. Consistent with EO 13392, bureaus will make every effort to meet the backlog reduction goals for FY08, FY09 and FY10, which were reported to OMB in November 2007, as well as those in DOI's FOIA Improvement Plan as amended (March 2007). (See DOI's FOIA web site at [http://www.doi.gov/foia/exec\\_order.html](http://www.doi.gov/foia/exec_order.html).)

#### 8.6 Training.

A. To ensure that FOIA training material complies with the FOIA and DOI's FOIA policy and procedures, bureaus/offices must submit all FOIA training materials, manuals, and guidance that will be used for FOIA training within the Department to the DOI FOIA Office, OCIO, for certification and clearance. All FOIA training materials must be submitted to the DOI FOIA Office at least two months prior to the date of the training. Further, Bureau/Office FOIA Officers should work with the Office of the Solicitor to complete legal reviews of all training materials. (See OCIO Directive 2007-002, Department of the Interior Freedom of Information Act (FOIA) Training Clearance – FOIA Improvement Guidance #1, for additional information (dated January 3, 2007).

B. In accordance with Chapter 1, paragraph 1.6B(7) of this Handbook, Heads of Bureaus are responsible for ensuring that the Bureau provides training to ensure that personnel within each organization that handles FOIA requests are familiar with the Act and able to respond to requests in accordance with DOI's FOIA regulations and the procedures in this Handbook. Bureaus should conduct training for their FOIA personnel annually and the training should be designed for their specific duty level.