

I. Steps Taken to Apply the Presumption of Openness

1. The U.S. Geological Survey (USGS) has taken the following steps to ensure that the presumption of disclosure is being applied to all decisions involving the FOIA:

- a. Each FOIA request processed by the USGS is initially processed under the presumption of full disclosure and then reviewed by our subject matter liaisons to determine whether or not any exemption may apply.
- b. If an exemption does apply to the records, we then work with the Solicitor's Office to determine if we can make a partial release or a discretionary release.
- c. We provided FOIA refresher training in November 2009 to all USGS FOIA Liaisons. The DOI FOIA Officer and her staff also provided training to our regional and science discipline liaisons on interpreting the President's and the Attorney's General's transparency memoranda of January 21, 2009.
- d. The USGS distributes all DOI guidance regarding the Administration's policy to its FOIA personnel. It is USGS's policy to always distribute any DOI guidance when received.
- e. The USGS is making transparency a top priority within the FOIA Office. Though USGS has consistently emphasized the underlying pro-disclosure purpose of the FOIA, we have more closely scrutinized our withholdings for greater release opportunities in accordance with the President's and the Attorney General's memoranda. In an effort to increase discretionary releases, the USGS is carefully reviewing requested documents and consulting with the Solicitor's Office to release information that was historically denied under exemption 5 prior to the issuance of the Administration's transparency memoranda. These documents will include (but will not be limited to) high profile contracts, scientific reports, and documents requested on an annual basis.

We have completed one discretionary release response so far in FY 2010. The same request was received multiple times over multiple years. In each case, the USGS withheld information using exemption 5. The request was for two draft pre-decisional reports that were deemed part of the USGS deliberative science process and were not yet finalized. USGS took proactive steps in consultation with the Solicitor's Office to release more of the responsive information to these requesters. The drafts were released in full.

II. Steps Taken to Ensure an Effective System for Responding to Requests

2. Upon comparison of our FY09 and FY08 figures, our number of full releases and partial releases has stayed relatively the same. For example, in FY08 the USGS made 67 full grants and 30 partial grants. In FY09, the USGS made 60 full grants 30 partial grants. In FY10, we will continue to work toward increasing the amount of full and/or partial releases whenever possible while still maintaining the integrity of the exemption process.

When a FOIA request is received by the USGS, the FOIA Officer assigns a control number to the request and sends the request to the appropriate Liaison via e-mail. The FOIA Liaison works with the appropriate program office that possesses the responsive records. They work together to communicate with the requester to correct any scope and/or fee issues. While the FOIA Liaison processes the request, she/he keeps the FOIA Officer informed of any problems, fees, or extensions via e-mail and regular phone calls.

The FOIA Officer tracks all requests and sends out a weekly report to the Liaisons for updates on requests that are nearing the 20 day (or 30 day if an extension was taken) response deadline. For any request still open beyond the 20 or 30 day response deadline, the FOIA Officer and appropriate Liaison work together to create a comprehensive plan of action to get the response out as soon as possible. The FOIA Officer assists the Liaisons as needed to ensure the requests are completed accurately, on time, and any exemptions are correctly cited.

We work with the Solicitor's Office when applying exemptions to ensure their correct application and/or acceptance of discretionary releases, thus limiting appeal and litigation risks to the Department and USGS. When appropriate, FOIA personnel work with the IT staff to generate requested documents. FOIA personnel also have access to USGS help desk services for any necessary IT support.

III. Steps Taken to Increase Proactive Disclosures

Prior to the Administration's guidelines on FOIA and on Transparency and Open Government, the USGS had proactively posted the following in its Electronic Reading Room: the USGS Survey Manual; USGS Organization Chart; List of USGS FOIA Contacts; USGS Directory of Key Officials; USGS Phone Book; Laws, Policies, and Guidelines Governing USGS Activities; USGS Science Strategy; Guidelines for Ensuring the Quality of Information Disseminated to the Public, and Instructional Memoranda. The USGS Electronic Reading Room is available at: <http://www.usgs.gov/foia/>.

As a priority Open Government Initiative for President Obama's administration, Data.gov increases the ability of the public to easily find, download, and use datasets that are generated and held by the Federal Government. The USGS proactively discloses data sets on the Data.gov website. The table below describes some of the datasets that USGS has proactively published on

Data.gov since the Administration issued its guidelines on FOIA and on Transparency and Open Government.

USGS PROACTIVE DISCLOSURE DATASETS	
National scope of NAWQA water quality sample- and laboratory-result data and other supporting information obtained from the NWIS systems	National Water Quality Assessment (NAWQA) Program
Real-time, worldwide earthquake list for the past seven days	Worldwide M2.5+ Earthquakes, Past 7 Days
Locations and characteristics of world copper smelters	Global Trade - World Copper Smelters
Shows the distribution of published K/Ar and Ar/Ar age determinations in the U.S. Sample location, rock description, analytical data, age, interpretation, and bibliographic reference are given.	Ages from the National Geochronological Database
The Map-a-Planet website allows users to create and download custom image maps of planets and satellites from a variety of missions in an easy-to-use web interface	http://www.mapaplanet.org/

IV. Steps Taken to Greater Utilize Technology

1. Yes, the USGS currently receives requests via e-mail and fax.
2. Not Applicable
3. Yes, the USGS uses the DOI electronic FOIA tracking system (EFTS) to track and manage its requests.
4. Not Applicable
5. Yes, the USGS uses Appligent Redax redaction software and all letters are created using Microsoft Word 2007.
6. Not Applicable

7. Yes, the USGS uses the EFTS to help generate its annual report. Annually, the FOIA Office creates an Excel reporting template for the Liaisons to complete to assist with the USGS response to the annual report.

8. Not Applicable

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

1. Not Applicable. At the end of FY08, the USGS reported a backlog of 0 requests. At the end of FY09, the USGS reported a backlog of 0 requests.

2. Not Applicable

3. The USGS FOIA Officer sends out a weekly status report to the FOIA Liaisons for an update on all FOIA requests nearing the 20/30 workday statutory requirement. For any request still open beyond the 20 or 30 day limit, the FOIA Officer and appropriate Liaison work together to create a comprehensive plan of action to get the response out as soon as possible.

For requests that are not yet perfected, the FOIA Liaisons attempt to contact the requester (via DOI-approved letters and by telephone) several times in an attempt to clarify the scope and/or fee issues. If USGS cannot make contact with the requester, that request will be administratively closed after 20 workdays.

If the response delay is because of the volume of information requested, the USGS will work with the requester to determine if the information may be released in batches. FOIA Liaisons routinely contact requesters to keep them informed of the status of their requests.