U.S. Department of the Interior

Chief FOIA Officer Report to the Attorney General

Office of the Executive Secretariat

March 1, 2011

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PREFACE

The nature of the Department of the Interior's broad and diversified mission once earned it the nickname, "the Department of Everything Else." In addition, the Department's services and programs are geographically dispersed across the U.S., Puerto Rico, U.S. Territories, and Freely Associated States. To understand the Department's Freedom of Information Act (FOIA) Program, readers of this report should keep these innate characteristics in mind. They should also consider the complexities inherent in managing one-fifth of the nation's land, 35,000 miles of coastline, and 1.76 billion acres of the Outer Continental Shelf.

The Department of the Interior (DOI) is responsible for maintaining and improving America's natural and cultural resources, economic vitality, and community well-being through its various services and programs. Its array of customers include park visitors, wildlife observers, sportsmen, stockmen, miners, Tribes, individual Indians, state and local communities, farmers and electric power users. DOI has decentralized its FOIA operations among 11 bureaus and offices, each of which has a Bureau/Office FOIA Officer leading its FOIA Program.

Because of DOI's vast mission and the many sensitive, high profile issues it deals with, the 11 DOI FOIA programs have and will continue to receive large numbers of requests from a broad spectrum of requesters. Some of the issues the Department handles include climate change, domestic energy production, protection of endangered species, land and water management, and fulfillment of the Government's obligations with regard to the Native American Nations, to name a few. In 2010, DOI was inundated with requests regarding the Deepwater Horizon/British Petroleum (BP) Oil Spill (hereinafter, BP Oil Spill) and other sensitive issues. There has also been an increase in the complexity of the FOIA requests received.

These factors present immense challenges for achieving compliance with the FOIA across the Department. While it is committed to ensuring the public gets access to the information to which it is entitled by law, the Department also has an obligation to protect national resources in accordance with its mission.

This report describes actions taken by the Chief FOIA Officer and the Department's FOIA policy staff to ensure overall Departmental compliance with the FOIA and applicable Administration policy. The report includes input provided by each of the 11 bureaus and offices that are responsible for receiving and responding to requests for Department records and that administer their own FOIA programs.

Chief FOIA Officer Report to the Attorney General

U.S. Department of the Interior (DOI)

I. DEPARTMENTAL STEPS TAKEN TO APPLY THE PRESUMPTION OF OPENNESS

1. Steps Taken 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.

In 2010, the DOI FOIA policy staff, Office of the Chief Information Officer (OCIO), and the Division of General Law, Office of the Solicitor (SOL-GL), continued to publicize the President's *FOIA* and *Transparency and Open Government* memoranda and the Attorney General's FOIA Guidelines through briefings, meetings, training, and the technical guidance and assistance provided to the Bureau/Office FOIA Officers and FOIA Managers (primarily Bureau/Office CIOs), attorneys, and DOI employees. (The President's and Attorney General's aforementioned FOIA policy memoranda have been posted to DOI's FOIA website at http://www.doi.gov/foia/policy.html in the *Interior Policies, Procedures and Guidance* section.) Similarly, Bureau/Office FOIA Officers disseminated Department of Justice (DOJ) and DOI guidance to all of the organizational components that they frequently work with in responding to FOIA requests and provided guidance for implementing the President's goals of transparency and openness within their respective organizations.

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

Training has been and continues to be a primary focus of the Department's FOIA Program. It continues to be in the forefront of ensuring compliance with the statute and the Administration's Transparency and Openness policy. While the public has a right to know what the Government is up to and should have access to the documents it is entitled to receive under the law, the Department must protect documents that could cause harm to DOI's mission/programs/resources should they be released. This is especially critical given the sensitivity of the evolving issues DOI is involved with such as the BP Oil Spill. The Department conducted the following FOIA training in 2010:

- Training for DOI FOIA employees at the American Society of Access Professional's Annual National Training Conference held in New Orleans, Louisiana (February).

- Two training sessions for BIA Managers to strengthen their awareness of the FOIA, including their responsibilities under the law and the Administration's policy (July).

- FOIA seminar and webinar for all interested DOI personnel in Washington, DC. Over 100 people attended (either online or in person). All but one of DOI's bureaus/offices were represented, as well as the Department of Agriculture. The webinar reached many employees who had never had formal FOIA training due to their distance from headquarters or resource constraints. FOIA experts from DOJ provided the training, which covered the exemptions most used by DOI offices, FOIA litigation, backlog reduction, customer service, use of technology to implement FOIA, and the Administration's policies (September).

- FOIA training for Bureau of Indian Affairs (BIA) employees in Albuquerque, New Mexico – "A Practical Introduction to FOIA Processing," which emphasized amongst other things the impact of the Administration's FOIA policy guidance on implementation of the FOIA within DOI and included guidance on making discretionary and proactive disclosures (October).

- DOI FOIA Conference in San Francisco, California – FOIA, Privacy, Section 508 and Records Management topics were presented to 160 DOI employees. Ten of DOI's bureaus/offices were represented as were a cross-section of disciplines, including FOIA personnel, FOIA attorneys, FOIA managers, program experts and supervisors Departmentwide. The training at the Conference emphasized the interrelatedness of these programs and stressed information management best practices, methods for enhancing customer service, the use of new technology to carry out the FOIA, and the Administration's policies on FOIA, Transparency and Open Government (November).

    In addition, some of the other bureaus provided bureau-wide training for their FOIA staff, e.g., the Bureau of Reclamation (BOR), Bureau of Land Management (BLM), U.S. Fish and Wildlife Service (FWS), and BIA.

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

- On May 29, 2009, the Department's FOIA Appeals Officer issued guidance to the bureaus/offices on preparing foreseeable harm statements for FOIA Appeals.

- On August 6, 2010, the CIO issued a directive that supplements the policies and procedures prescribed in DOI's FOIA regulations (43 CFR Part 2, Subparts A through E) and the Departmental FOIA Handbook (383 DM 15) for reviewing documents in response to FOIA requests. Specifically, it implements the Administration's policy guidance pertaining to the review of documents under the FOIA. This guidance is posted on the Department's website at http://www.doi.gov/foia/policy.html.

- On September 14, 2010, the Assistant Solicitor-General Legal Services (SOL) issued a memorandum to DOI's attorneys regarding the application of the FOIA guidelines issued by Attorney General Holder.

- Additionally, on October 1, 2009, the Departmental FOIA Officer issued guidance to the bureaus/offices concerning discretionary disclosures of information under the FOIA.

- Bureaus/offices also provided internal instructions and guidance to their employees with regard to applying the presumption of openness in processing FOIA requests throughout the year.

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

It has been longstanding DOI policy to provide the greatest access possible to DOI records and information that are requested under the Act. DOI will consider making a discretionary release of otherwise exempt information as long as its release would not foreseeably cause harm to an interest protected by a FOIA exemption. Although there may have been times when an individual bureau or office has withheld more information under exemptions 2 and 5 than it would at the present time, we believe that those would have been isolated instances. This makes it difficult to point to any specific examples of discretionary disclosures of records made under the Administration's new FOIA guidelines.

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

Typically, the information would have been withheld under exemptions 2 and 5.

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

Normally, the individual processing the FOIA request will consult the program office (subject matter expert) where the requested documents are located, the Bureau's/Office's FOIA Officer/Coordinator and his/her FOIA attorney, as appropriate, before making a discretionary release under the FOIA. The Office of the Solicitor (SOL) analyzes the information produced for the FOIA requests on a case-by-case basis and determines in light of the President's and Attorney General's guidance the likelihood of harm to an interest protected by an exemption.

DOI's FOIA Handbook (see Chapter 5.14C) and the August 6, 2010 CIO directive noted under paragraph c, above, require that the bureau/office consult with its Designated FOIA Attorney and obtain his/her surname (i.e., signature indicating his/her approval) before making a discretionary release of information.

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

DOI's FOIA policy staff continues to:

1)   Conduct meetings, briefings and informal training for Bureau/Office FOIA Officers/personnel as needed to make them aware of changes to the Act and the Administration's policies, DOJ/OMB requirements, and latest case law as well as to reinforce DOI policies/procedures due to inconsistencies, errors and other problems noted in appeals/lawsuits;

2)   Provide technical assistance to all levels of the Department, bureaus/offices, other agencies and the public on an ongoing basis to ensure statutory/regulatory compliance – appeals and litigation were mitigated in many circumstances due to assistance provided and or policies issued thereby avoiding potential attorney fees; and

3)   Update its websites, providing information about its operations and activities that might otherwise be requested under the FOIA.

Additionally, the Departmental FOIA Policy Staff has developed a computer-based training (CBT) module for FOIA personnel, including guidance for implementing the Administration's FOIA policy guidance. The CBT should be deployed in the summer of 2011.

2. DOI Experienced an Overall Increase in the Number of Full/Partial Grants from FY 2009 to FY 2010. (See charts A and B below.)

As Chart A on page 7 (below) indicates, overall full grants for DOI increased by 11% and partial grants increased by 14% from FY 2009 to FY 2010. DOI's combined partial and full grants increased by 12%. Chart B illustrates the Department's overall performance in this area. These results are not surprising in light of the Department's continuing practice to release as much information as possible, including instances where discretionary exemptions may have applied. However, these statistics are often affected by the type of information that is requested rather than by agency practice because some FOIA exemptions do not permit discretionary disclosures. For example, information requiring protection to prevent the unwarranted invasion of an individual's personal privacy covered by FOIA Exemption 6 is usually not subject to discretionary disclosure. Forty-three percent (43%) of all of the exemptions cited by DOI in response to requests during FY 2010 were exemption 6 withholdings. (See the Department's FY 2010 FOIA Annual Report, Chart B (3), posted on the Web at http://www.doi.gov/foia/10anrep.pdf.)

CHART A

<table>
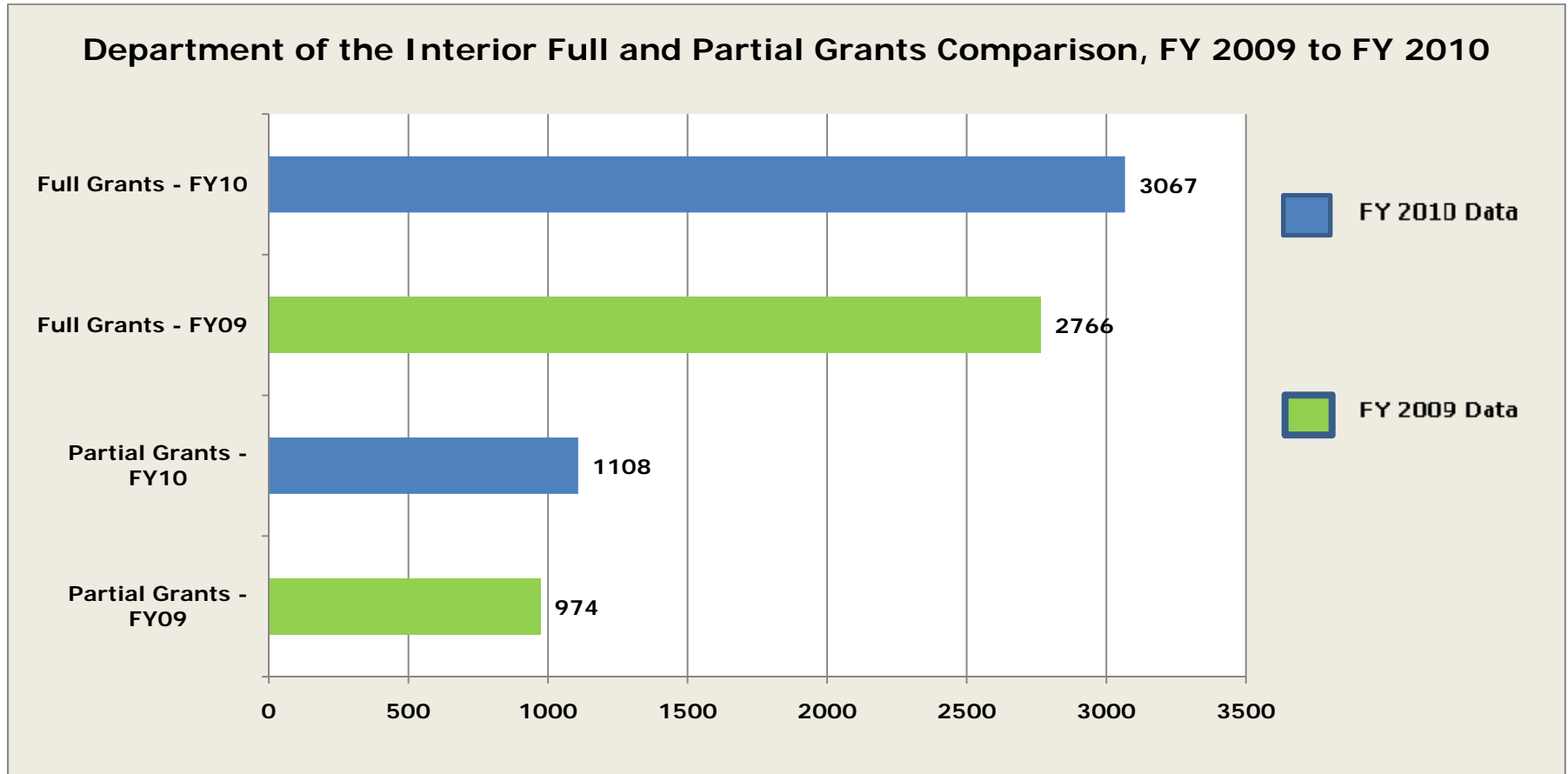<tr><td colspan="11">U.S. Department of the Interior
Comparison of Full and Partial FOIA Grants
FY 2009 to FY 2010</td></tr>
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<tr><td rowspan="2">DOI TOTAL</td><td>5088</td><td>5945</td><td>974</td><td>1108</td><td>+14</td><td>2766</td><td>3067</td><td>+11</td><td>3740</td><td>4175</td></tr>
<tr><td></td><td></td><td>19% of FY 2009 Processed Requests</td><td>19% of FY 2010 Processed Requests</td><td></td><td>54% of FY 2009 Processed Requests</td><td>52 % of FY 2010 Processed Requests</td><td></td><td colspan="2">Combined partial and full grants increased 12% from FY 2009 to FY 2010</td></tr>
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CHART B

Department of the Interior Full and Partial Grants Comparison, FY 2009 to FY 2010

Category	Value
Full Grants - FY10	3067
Full Grants - FY09	2766
Partial Grants - FY10	1108
Partial Grants - FY09	974

Legend: FY 2010 Data, FY 2009 Data

II. DEPARTMENTAL STEPS TAKEN TO ENSURE DOI HAS AN EFFECTIVE SYSTEM FOR RESPONDING TO REQUESTS

Structure of the Department's FOIA Program

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

As of December 14, 2010 (see Secretarial Order 3309) the Department's IT Program was reorganized and consolidated to identify redundancies and improve the delivery of IT and information management services. This should benefit many of the information management programs including the FOIA Program.

In December 2010, as part of the agency's Information Technology (IT) transformation, the Departmental FOIA Policy function, previously in the Office of the Chief Information Officer (OCIO), and the Office of the Secretary FOIA operations function, previously in the NBC, were transferred to the Office of the Executive Secretariat (OES). This change is expected to increase operational effectiveness and efficiencies in the review and processing of FOIA requests.

DOI's FOIA operations are highly decentralized. All of the Bureau/Office FOIA Offices, except for BIA's and OIG's, were located within their respective CIO's Office. Due to a recent re-organization of the OCIO aimed at reducing IT costs throughout the Department and streamlining IT services, the Bureau/Office CIOs now serve as senior advisors to the Department's CIO rather than as CIOs for their own organizations. Since the FOIA operations within the bureaus/offices were left in place organizationally and the FOIA Managers still support DOI's CIO, this arrangement continues to provide a common thread that links DOI's FOIA Offices with one another as well as with the DOI Chief Information/FOIA Officer. Each Bureau/Office FOIA Program is separately managed and resourced. In the highly decentralized environment in which the Department operates, this structure promotes consistency and common purpose among the FOIA offices of mission-diverse organizations and helps ensure they receive the necessary IT support.

The following briefly describes the structure of the Department's FOIA Program which supports an effective and efficient system for compliance with the FOIA:

DOI Chief FOIA Officer

Pursuant to Executive Order (E.O.) 13392 and subsequently the OPEN Government Act of 2007, DOI's CIO has been designated as the Chief FOIA Officer for the Department. A Department-level FOIA program team which until December 28, 2010 resided within the OCIO serves as the Department's FOIA policy staff. The DOI FOIA policy staff was moved to the OES, but continues to assist the Chief FOIA Officer in carrying out his responsibilities.

Departmental FOIA Policy Staff

The DOI FOIA policy staff:

- Develops and revises policies, regulations, guidelines, procedures and standards for DOI FOIA implementation, including the Department's FOIA Handbook (383 DM 15)

- Maintains the www.doi.gov/foia/ website and Electronic Reading Room

- Provides program oversight, technical assistance and formal training to DOI FOIA personnel and others

- Manages the electronic FOIA tracking system (EFTS) – a centralized, web-based application that provides for standardized tracking and reporting of FOIA requests DOI-wide and adherence to DOI FOIA regulations

- Prepares the Department's FOIA annual report based on data entered into the EFTS by FOIA personnel in the 11 bureaus and offices

- Helps coordinate high profile or multi-bureau request issues

Bureau/Office FOIA Programs

As mentioned above, DOI's FOIA operations are highly decentralized. All FOIA and Privacy Act (PA) requests for Department records are directed to the appropriate Bureau/Office FOIA Officer. Depending on the individual bureau or office, responses to requests may be made by the Bureau/Office FOIA Office at headquarters or in the field, or by the program office that maintains the requested records.

At the bureau/office level, designated FOIA Officers are responsible for day-to-day FOIA operations within their respective organizations. These officials will issue additional policies and guidance for use within their own organizations when necessary to ensure that FOIA requests are handled appropriately by bureau/office personnel. They also serve as FOIA Public Liaisons for their own bureaus/offices and provide training for their employees, often in collaboration with the DOI FOIA policy staff and Office of the Solicitor (SOL).

The Office of the Solicitor

SOL supports the Department's FOIA Program by providing legal interpretations of the FOIA and guidance to bureaus and offices, as well as the DOI FOIA policy staff. SOL provides legal reviews of FOIA initial determinations and appeals, as necessary, assists in developing DOI's FOIA regulations, and handles FOIA/PA litigation for the Department. Along with the DOI FOIA policy staff and the FOIA Appeals Officer, SOL assists in training DOI personnel.

FOIA/PA Appeals Office

The Department's FOIA/Privacy Act (PA) appeals function is located in and administered by SOL. The Appeals Office receives, tracks, monitors and issues final determinations on all FOIA/PA appeals made to the Department.

Relationship of Departmental FOIA Program to Bureau/Office FOIA Programs

The DOI FOIA policy staff provides the regulatory and policy framework for the Department's FOIA Program. (The staff does not process any FOIA/PA requests or appeals.) Within this framework, each of the 11 component bureaus and offices operates its own FOIA Program that is tailored to its organizational mission and structure.

Program Oversight and Reporting Structure

Bureaus/offices report to the DOI CIO quarterly on EGOV criteria. The Department has developed EGOV criteria for bureau/office FOIA performance that is included in these quarterly reports. The criteria are derived from EFTS reports and reflect both the status of bureau/office backlogs and their performance in providing timely responses to requesters. In addition, each month the Bureau/Office FOIA Officers report to the DOI FOIA policy staff in the OCIO on their backlogs. This heightens awareness among the managers of the bureau/office FOIA programs about their backlogs, and allows the DOI FOIA policy staff to monitor trends or spikes in backlogs and the opportunity to work with bureaus and offices on ways to reduce backlogs.

Additionally, a few of the bureaus/offices send reports to their managers on a regular basis indicating any overdue FOIA requests. This step has resulted in substantial backlog reductions.

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

In FY 2010, the Departmental FOIA Officer and the Senior FOIA Program Analyst participated on the Department's Open Government Team and assisted in developing the FOIA Section of DOI's Open Government Plan, dated April 7, 2010 (revised June 25, 2010). The Plan may be found at http://www.doi.gov/open/loader.cfm?csModule=security/getfile&pageid=28151. All of the FOIA elements of the Department's Open Government Plan may be found on the "About Us" page of DOI's FOIA website at http://www.doi.gov/foia/aboutus.html, including:

1) A description of DOI's staffing, organizational structure and process for analyzing and responding to FOIA requests (see page 23 of DOI's Open Government Plan);

2) An assessment of DOI's capacity to analyze, coordinate, and respond to FOIA requests in a timely manner and proposed improvements that are needed to strengthen DOI's response processes;

3) Milestones that detail how DOI may reduce its FOIA backlog by at least ten percent each year; and

4) Copies of DOI's FOIA Annual Reports.

Additionally, the DOI FOIA policy staff monitored the backlog reduction milestones in the Plan and worked with bureaus/offices on an ongoing basis to ensure that the ten percent reduction target (679 requests) was met by the end of FY 2010. The Staff provided quarterly updates to DOI's Open Government Coordinator, as appropriate.

A relatively new initiative in DOI's Open Government Plan is to stand up a pilot to incorporate alternative dispute resolution (ADR) in the FOIA Program and to provide training along with skills building to relevant audiences. Towards that end, the Departmental FOIA Officer and the OS FOIA Officer are working with the Department's Office of Collaborative Action and Dispute Resolution and the Office of Government Information Services to achieve this milestone.

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

In accordance with the requirements of the Open Government Directive, which was issued in December 2009, DOI had a backlog reduction target of ten percent in FY 2010. Therefore, Departmental efforts continued to focus attention on backlog reduction in monthly backlog reports from the bureaus/offices and quarterly EGOV scorecards, and to collaborate with bureaus/offices to find appropriate remedial actions, e.g., hiring additional FTEs and contract employees and/or detailing other employees to assist with the existing FOIA workload.

FOIA processing remains a collateral duty in most bureaus/offices (e.g., many FOIA Officers also serve as Privacy Officers and/or Records Officers), and FOIA request processing can be overtaken by other urgent priorities that compete for the attention of the same staff. Further, Privacy and Records requirements, like FOIA, are also expanding. At the same time, the number of requests received increased by 18 percent. These factors, and the fact that many requests DOI receives are complex in nature, point to the need for more resources for these bureaus/offices. This would allow these bureaus/offices to address and eliminate gaps in knowledge and expertise caused by the high turnover in personnel, and to reduce their FOIA backlogs. However, resources are determined on a bureau-by-bureau basis and while the Chief FOIA Officer can recommend the addition of resources or a change in how resources are being allocated, it is the prerogative of each bureau/office to decide whether or not to adopt such recommendations.

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

DOI provides requesters the option of using an electronic request form on its FOIA website to submit their FOIA requests online. Requesters electronically submit their requests to the specific bureau or office that maintains the records they seek. Their requests are received by the selected Bureau/Office FOIA Officer via email. This technology has greatly streamlined the receipt and acknowledgment of FOIA requests. Response time also has been reduced through the use of scanning, electronic signatures and electronic review and redaction. Prodisclosure continues to be emphasized by bureaus, e.g., the FWS, along with delegating signature authority to the lowest responsible level as appropriate.

The Department employs a centralized, web-based electronic FOIA tracking system (EFTS) to electronically assign request numbers and track request data required for compilation of the FOIA annual report. All DOI bureaus and offices except OIG use the same system.[1] The system was designed to increase participation in information-sharing throughout the DOI FOIA Program, eliminate redundancy, and provide greater accountability and consistency in responses while accommodating enhancements to meet future requirements. It allows bureaus/offices that receive only a small number of FOIA requests to effectively participate in the program without paying a monthly fee. The EFTS provides management reporting capability for quarterly and *ad hoc* reports on bureau/office backlogs and performance in terms of overall response times. It also generates and compiles data needed to prepare the DOI FOIA Annual Report.

The DOI FOIA policy staff has developed a computer-based training module to be launched in FY 2011 that will provide training to all DOI FOIA personnel on FOIA requirements, DOI procedures, and the Administration's FOIA policy guidance. This will allow DOI FOIA personnel in remote areas and those in organizations with limited training funds to receive the training they need to properly and promptly respond to any FOIA requests they receive. It will also provide for greater compliance and consistency in the handling of all FOIA requests to DOI.

The DOI FOIA policy staff in collaboration with the National Business Center developed a "FOIA Request Status" public interface on DOI's FOIA Internet website. This feature allows FOIA requesters to check on the status of their individual requests whenever they choose consistent with the OPEN Government Act of 2007 and the Administration's Transparency/Open Government policies.

III. DEPARTMENTAL AND BUREAU LEVEL STEPS TAKEN TO INCREASE PROACTIVE DISCLOSURES

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

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[1] OIG opted to purchase a standalone FOIA tracking system.

Yes, see below. DOI remains committed to the Administration's Transparency/Open Government policies by increasing its efforts to make proactive disclosures whenever possible. Annual reading room reviews are conducted to ensure that the Department is in compliance with the requirements of the FOIA (5 U.S.C. 552(a) (2)) and websites are continually updated as new information becomes available. Bureau/office websites and electronic reading rooms are linked to the Department's FOIA website (http://www.doi.gov/foia).

b. What types of records have been posted?

DOI posts a variety of records related to hot topics and newsworthy events, Departmental initiatives, projects, key programs and activities of public interest including those that are identified as "frequently requested documents" under the FOIA. Additionally, the FWS posts historical program and procedural records that impact the public.

In FY 2010, a special Deepwater Horizon Electronic Library and Reading Room was established by the Bureau of Ocean Energy, Management, and Enforcement (BOEMRE). The Reading Room contains documents related to the BP Oil Spill that have been cleared for public release (see http://www.boemre.gov/deepwaterreadingroom/selectrequest.aspx).

The FOIA Internet site also contains a link to the Department's many data sets published on Data.gov, which also increased in 2010.

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.

The following are examples of the kinds of materials that are posted to DOI's websites once they have been cleared for public release:

- Records related to the BP Oil Spill

- Flow Rate Technical Group (FRTG) emails pertaining to the BP Oil Spill

- Information regarding resources for strategic minerals in 11 states (only existing storehouse of information dating from the 1950s to the 1970s)

- Renewable energy documents

- Offshore Leasing Program information

- Documents responsive to congressional requests

- Oversight information and mine plan permits

- Information regarding Black Mesa Mine

- Wild Horse and Burro Program information

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- Climate change information

- FOIA logs

- Copies of completed FOIA requests, including copies of responsive documents on their websites (the Point Reyes National Seashore is currently doing this)

- 2010 Tribal Leaders Directory

- Letters from tribes petitioning for Federal acknowledgment

- Documents related to the rulemaking process

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

Documents are posted in accordance with the FOIA. Certain information must be made available via electronic reading rooms consistent with 5 U.S.C. 552(a) (2), e.g., final opinions, policies and administrative staff manuals. Regarding other agency information, program offices normally review the material in collaboration with the FOIA staff and the Solicitor's Office to determine if it is releasable under the law. Once it has been determined that the information may be made available to the public, the Departmental FOIA Office and/or the bureaus/offices may coordinate with their Office of Communications/Public Affairs before posting to the appropriate site.

Some of the bureaus, e.g., BLM, have Data.gov Teams which meet regularly to discuss possible data for posting to the Data.gov Federal site.

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

DOI has adopted use of six (6) web tools that will help Americans connect with the nation's heritage, natural resources, and cultures while improving transparency and openness. The public is now able to follow DOI and its agencies on:

- **YouTube:** DOI's YouTube Channel (www.youtube.com/USInterior) houses a growing selection videos produced by Interior. Bureau channels include www.youtube.com/reclamation (Bureau of Reclamation), www.youtube.com/USGS (U.S. Geological Survey (USGS)), and www.youtube.com/NationalParkService (National Park Service).

- **Facebook:** Secretary Salazar's Facebook page has been augmented by a new USInterior page (http://www.Facebook.com/USInterior) with a broader selection of news from DOI. Interior bureaus, offices and other units number among the dozens of DOI Facebook presences.

- **Flickr:** DOI's Flickr presence (http://www.flickr.com/photos/USInterior) holds a limited selection of images from the Secretary's events and active travel schedule. Flickr has been somewhat downgraded in importance since DOI's move to our current Web content management system.

- **Twitter:** Many of the latest news, updates and happenings at DOI are now accessible via Twitter (http://www.Twitter.com/USInteriorNews). Among the dozens of active Interior Twitter accounts are USGS (http://twitter.com/USGS), Reclamation (http://twitter.com/usbr) and BLM's National Interagency Fire Center (http://twitter.com/BLMnifc).

- **AddThis:** Provides the "share" button found near the top of every DOI news page. The button enables users to easily share DOI information via e-mail or social networks.

- **TwitterFeed:** Allows DOI to automatically create Twitter "tweets" from RSS feeds. In some cases, automating a Twitter feed can provide more reliable content than human operators might generate. For example, the TwitterFeed of #USInteriorJobs sends dozens of Interior job postings from USAJobs.gov each day, without intervention.

A complete list of DOI Social Media presences is available at:

http://www.doi.gov/news/Social-Media.cfm. Some bureaus/offices also maintain their own lists of social media presences:

Bureau/Office	Social Media Lists
Bureau of Reclamation	http://www.usbr.gov/main/multimedia/index.html
U.S. Fish and Wildlife Service	http://www.fws.gov/home/socialmedia/
National Park Service	http://www.nps.gov/glac/parknews/socialnetworking.htm
U.S. Geological Survey	http://www.usgs.gov/socialmedia/

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

The DOI FOIA Policy Staff continue to collaborate with bureaus/offices to ensure proactive disclosures of information are made on a regular basis. New information is routinely posted on the Department's websites and data is made available through other venues e.g., Data.gov, that can be "mashed" by the public to turn information into usable knowledge.

DOI is a strong supporter of the concepts of open data sharing and the transparency provided through this function. DOI has made over 113,000 datasets available through Data.gov – the second highest total in the Federal Government. DOI is committed to ongoing production of data and continues to identify and prioritize the publication of more high value sets. During 2010, DOI contributed the following datasets to Data.gov:

- North American Bird Habitat Conservation Joint Ventures (http://www.data.gov/raw/4255/)

- U.S. Bureau of Reclamation Regional Boundaries (http://www.data.gov/raw/4062)

- U.S. Fish & Wildlife Service Cadastral Geodatabase (http://www.data.gov/raw/4030)

Many datasets are updated daily, such as water and earthquake data. In addition, the U.S. Geological Survey has two of the "Top 10 most Downloaded Datasets (All Time)" including the most downloaded dataset, "Worldwide M1 + Earthquakes, Past 7 Days."

DOI's Open Government flagship initiative is closely tied to an Administration and Secretarial priority: Climate Change. This initiative is focused on delivering improved access to climate change-related data and data-derived products such as reports and models to researchers, managers, government and non-government partners, public watchdog groups and the public at large. This initiative clearly demonstrates the value of open government and is closely tied to a DOI High Priority Performance Goal and is of great interest to DOI stakeholders.

IV. DEPARTMENTAL STEPS TAKEN TO GREATER UTILIZE TECHNOLOGY

1. Electronic receipt of FOIA requests:

   a. All of the major components in the Department have the capability to receive FOIA requests electronically.

   b. There has been no change in the number of components receiving requests electronically from the filing of our Chief FOIA Officer Report last year.

   c. DOI currently receives written requests via fax, and/or email. In addition, in 2008, the Department established an electronic FOIA request form accessible at http://www.doi.gov//foia/. The request form is completed online and is electronically transmitted as an email to the Bureau/Office FOIA Officer for the bureau/office selected by the requester.

2. Electronic tracking of requests:

   a. All of the major components in the Department are able to track their FOIA requests electronically.

   b. There has been no change in the number of components tracking their requests electronically from the filing of our Chief FOIA Officer Report last year.

c. The Department's electronic FOIA tracking system (EFTS) centrally tracks the receipt of and response to all FOIA requests submitted to DOI FOIA Offices, except for the Office of Inspector General (OIG) FOIA Office. (The OIG FOIA Office maintains a separate standalone tracking system.)

3. Electronic processing of requests (response to items a thru c):

The EFTS assigns each request a unique number and tracks the request's receipt, status (i.e., open or closed), and final response determination. The system also allows FOIA personnel to upload a scanned copy of the request and final response. It allows system users to identify duplicate requests, list requests by bureau/office and prioritized by processing track and date received, generate a form acknowledgement letter, and store an electronic copy of the acknowledgment and final response correspondence. A separate set of software available to DOI bureaus/offices performs electronic secure redaction of imaged documents. Not all bureaus/offices have opted to use this specific software. Some use their own redaction and scanning methods. DOI neither currently tracks every phase of request processing nor does it track the number, type and individual disposition of responsive FOIA documents. Currently, all bureaus/offices except OIG are using the EFTS. There has been no change in the number of components using the EFTS from last year's report.

4. Electronic preparation of DOI's Annual FOIA Report:

a. As noted above, the EFTS generates the data used in preparing DOI's FOIA Annual Report. In 2008 and 2009, modifications to the system were made to permit the breakdown of data in the report by the 11 bureaus and offices that accept and process FOIA requests, and to include the additional data elements required under the OPEN Government Act of 2007. The EFTS is a FOIA-specific data processing system.

b. Overall, DOI is satisfied with its existing system.

V. DEPARTMENTAL STEPS TAKEN TO REDUCE BACKLOGS AND IMPROVE TIMELINESS IN RESPONDING TO REQUESTS

1. Backlog in Terms of the Numbers and the Age of Requests and Appeals

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.

At the end of FY 2010, DOI had an overall FOIA backlog of 679 requests. This represents a ten (10) percent decrease from the agency's backlog at the end of FY09 (757 requests). Additionally, in FY 2010, the backlog of FOIA appeals was reduced from 437 to 274 appeals (a 37 percent reduction). DOI's ten oldest requests from FY 2009 were closed in FY 2010. DOI's ten oldest appeals from FY 2009 were closed in FY 2010 as well.

2. Reduction in the Overall Backlog

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:

Not applicable. As indicated above, DOI reduced its FOIA backlog of requests and appeals in FY 2010.

3. Describe the Steps Your Agency is Taking to Reduce any Backlogs and to Improve Timeliness in Responding to Requests and Administrative Appeals

a. Beginning with the issuance of the FOIA Improvement Plan under E.O. 13392 in 2006, backlog reduction has been a primary focus of DOI's FOIA Program. The DOI FOIA policy staff reviews monthly backlog reports from the bureaus/offices and backlog data and response times submitted in quarterly EGOV scorecards, and collaborates with bureaus/offices to find appropriate remedial actions. DOI's electronic FOIA tracking system enables bureaus/offices to readily produce real-time "snapshots" of their backlogs, allowing the FOIA Officers to monitor and manage their backlogs more efficiently. Despite the fact that the number of requests DOI received in FY 2010 increased by 18 percent, the Department was still able to meet its backlog reduction target of ten percent (backlog reduced to 679 requests). In FY 2011, Departmental/bureau efforts continue to focus attention on backlog reduction.

b. In FY 2010, bureaus/offices increased their FOIA staffing overall; however, there have been no changes in staffing at the Departmental level.

c. See Section II, d, above. Based on the review of backlog reports, appeals, litigation and other issues that arise, the DOI FOIA policy staff provides recommendations and/or

offers guidance to bureaus regarding remedial/corrective actions they can take to improve timeliness and streamline the overall FOIA process. The DOI FOIA policy staff also has encouraged bureaus/offices to make more information available online in an effort to reduce the need for the public to make FOIA requests. The proactive release of information online, in advance of any public request reduces the need for individualized requests and may help reduce existing backlogs.

d. The Chief FOIA Officer/Chief Information Officer in collaboration with the bureaus/offices and the Departmental FOIA policy staff have provided oversight for DOI's FOIA program. Additionally, the Chief FOIA Officer receives periodic updates on DOI's efforts to reduce the existing FOIA backlog.

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.

DOI's greatest accomplishment this past year is meeting the ten percent backlog reduction target mandated by the Open Government Directive of December 2009 despite the increase in both the number and complexity of the requests received, primarily due to the BP Oil Spill.

Additionally, DOI developed a "FOIA Request Status" public interface on DOI's FOIA Internet website at http://www.doi.gov/foia/foiaStatusIndex.html. This feature allows FOIA requesters to check the status of their individual requests whenever they choose consistent with the OPEN Government Act of 2007 and the Administration's Transparency/Open Government policies.

CHART C

COMPARISON OF FY 2009 TO FY 2010 REQUESTS/APPEALS BACKLOG STATISTICS						
Bureau/ Office	Number of Backlogged Requests at End of FY 2009	Number of Backlogged Requests at End of FY 2010	Percentage +/- Change in Request Backlog	Number of Backlogged Appeals at End of FY 2009	Number of Backlogged Appeals at End of FY 2010	Percentage +/- Change in Appeals Backlog
BIA	100	55	-45%			
BLM	47	80	+70%			
BOEMRE (MMS)	9	99	+1000%			
BOR	15	13	-13%			
FWS	71	106	+49%			
NPS	45	30	-33%	437	274	-37%
OIG	253	163	-36%			
OS	154	90	-42%			
OSM	2	3	+50%			
SOL	61	38	-38%			
USGS	0	2	200%			
AGENCY OVERALL	757	679	-10%			