

## 2016 Chief FOIA Officer Report

Name and Title of Chief FOIA Officer: Maurice Swinton, Chief Information Officer, Armed Forces Retirement Home (AFRH).

### Section I:

#### 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?

*Answer: Our FOIA professional obtained training from the IIWG, Andrews AFB, FOIA office, DOD FOIA/PA Training, and online DOJ refresher training courses.*

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.

*Answer: 100%*

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 attended training, please explain your agency's plan to ensure that all FOIA professionals receive or attend substantive FOIA training during the next reporting year.

*Answer: N/A*

#### Discretionary Releases:

4. Does your agency have a distinct process or system in place to review records for discretionary release?

*Answer: Yes. The Agency has directives (AFRH Directive 1-4 "AFRH Freedom of Information Act Program" and AFRH Directive 1-5 "AFRH Privacy Act Program") that provide details on the agency's process to review records for discretionary release. All releasable records must be reviewed through the formal process which include the AFRH FOIA Officer; Privacy Officer and AFRH Legal Counsel prior to release their release to the public.*

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

*Answer: AFRH did not make any discretionary releases during the reporting period.*

6. What exemption(s) would have covered the material released as a matter of discretion?

*Answer: N/A*

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

*Answer: N/A*

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

*Answer: AFRH only had 1 FOIA request which was partially exempted using Exemption 5 and did not afford agency discretion. Specifically, the request was denied based on the attorney-work product privilege.*

#### **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. If any of these initiatives are online, please provide links in your description.

*Answer: AFRH has a web link dedicated specifically to FOIA on its website. Memoranda emphasizing openness and a person's right to information are posted on this web link.*  
<https://www.afrh.gov/foia/reference-material>

#### **Section II:**

##### **Processing Procedures:**

1. For Fiscal Year 2015, what was the average number of days your agency reported for adjudicating requests for expedited processing?

*Answer: AFRH did not adjudicate any requests for expedited processing during Fiscal Year 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.

*Answer: 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.

*Answer: AFRH is aware of the new guidance on the proper procedures to be used in the event the agency has a reason to inquire whether a requester is still interested in his or her request, should the agency need to send a "still interested" inquiry, it will be done in accordance with the new guidelines.*

### **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.

*Answer: AFRH provides detailed information as to how the FOIA process works on the website. The agency has not had any disputes, therefore, these services have not been provided.*

### **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.

*Answer: AFRH has streamlined some FOIA processes by establishing better relationships with inter-agency personnel by explaining the FOIA process and the importance of expedient responses when the FOIA liaison makes a request for information.*

### **Section III:**

#### **Posting Material:**

1. Describe your agency's process or system for identifying "frequently requested" records required to be posted online under Subsection (a)(2) of the FOIA. For example, does your agency monitor its FOIA logs or is there some other system in place to identify these records for posting.

*Answer: AFRH FOIA liaison monitors the FOIA log and will identify if there are records that should be posted. AFRH does have a "reading room" that contains our agency's quarterly and annual report as well as other helpful information and can be accessed using this link <https://www.afrh.gov/foia/reference-material>*

2. Does your agency have a distinct process or system in place to identify records for proactive disclosure?

*Answer: Yes. The AFRH utilizes its Public Affairs, Legal and FOIA offices to assist in identifying records for proactive disclosures. Each of these offices vet all publicly shared information that appear on the AFRH website.*

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.

*Answer: NO. The public affairs professionals will prepare documents for Section 508 compliance, should it be required.*

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

*Answer: No.*

5. If so, please briefly explain those challenges.

*Answer: N/A*

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

*Answer: There has not been any proactive disclosures made during the past reporting year.*

7. Did your agency use any means to publicize or highlight important proactive disclosures for public awareness?

*Answer: AFRH has made available all guidance used when making FOIA determinations on its website for the public's awareness.*

**Other Initiatives:**

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

*Answer: N/A*

**Section IV: Steps Taken to Greater Utilize Technology:**

1. Beyond posting new material, is your agency taking steps to make the posted information more useful to the public, especially to the community of individuals who regularly access your agency's website?

*Answer: Yes.*

2. If yes, please provide examples of such improvements.

*Answer: AFRH created a Facebook page and can use this avenue to post useful information to the public if needed.*

3. Did your agency successfully post all four quarterly reports for Fiscal Year 2015?

*Answer: Yes.*

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 successful in Fiscal Year 2016.

*Answer: AFRH did post FY15 quarterly reports for all quarters on our website, however, the information did not appear on FOIA.gov. AFRH has engaged OIP to determine why this occurred and it is currently being addressed.*

5. Do your agency's FOIA professionals use e-mail or other electronic means to communicate with requesters whenever feasible? If yes, what are the different types of electronic means that are utilized by your agency to communicate with requesters?

*Answer: Yes. Email is the preferred method of communication.*

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

*Answer: N/A*

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

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

*Answer: Yes*

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

*Answer: 17.*

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

*Answer: 92%*

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

*Answer: N/A*

### **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 the backlog reported at the end of Fiscal Year 2014?*

*Answer: N/A*

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:*

*Answer: 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 2014. If your agency did not receive any requests in Fiscal Year 2014 and/or has no request backlog, please answer with "N/A."*

*Answer: 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?*

*Answer: N/A*

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

*Answer: 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 appeals received by your agency in Fiscal Year 2014. If your agency did not receive any appeals in Fiscal Year 2014 and/or has no appeal backlog, please answer with "N/A."*

*Answer: N/A*

## **Ten Oldest Requests:**

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

*Answer: N/A*

*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 2013 Annual FOIA Report. If you had less than ten total oldest requests to close, please indicate that.*

*Answer: 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?*

*Answer: N/A*

## **TEN OLDEST APPEALS**

*14. In Fiscal Year 2015, did your agency close the ten oldest appeals that were reported pending in your Fiscal Year 2014 Annual FOIA Report?*

*Answer: N/A*

*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.*

*Answer: N/A*

## **TEN OLDEST CONSULTATIONS**

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

*Answer: N/A*

*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 consultations to close, please indicate that.*

*Answer: 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.

*Answer: 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.

*Answer: 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 2015.

*Answer: N/A*

**Use of FOIA’s Law Enforcement Exclusions:**

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

*Answer: No.*