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## **Freedom of Information Act (FOIA) Program**

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### **Section I**

#### **Purpose:**

This policy describes SIGIR's Freedom of Information Act (FOIA) Program.

*Note: This policy rescinds and replaces SIGIR 6300, Freedom of Information Act (FOIA) Program, dated August 18, 2009.*

### **Section II**

#### **References:**

1. Freedom of Information Act, 5 U.S.C. 552, as amended
2. Open Government Act of 2007, Public Law 110-175, 12 STAT 2524
3. President's Memorandum "The Freedom of Information Act (FOIA)," January 21, 2009, Daily Comp. Pres. Docs, 2009, DCPD No. 200900009
4. Attorney General Memorandum, "The Freedom of Information Act (FOIA)," March 19, 2009
5. Office of Management and Budget, The Freedom of Information Reform Act of 1986; Uniform Freedom of Information Act Fee Schedule and Guidelines, Vol.52 Federal Register 10,012

### **Section III**

#### **Applicability & Scope:**

This policy applies to all SIGIR personnel.

### **Section IV**

#### **Policy Overview:**

SIGIR is committed to open government and will make the maximum amount of information on its operations and activities available to the public, consistent with its responsibility to protect national security and other sensitive information. In furtherance of this goal, it is SIGIR policy to:

1. Make discretionary disclosures of information unless the disclosure would harm an interest protected by one of the statutory exceptions or is prohibited by law.
2. Promptly respond to all Freedom of Information Act requests.

### **Section V**

#### **Responsibilities:**

1. The Inspector General (IG) or, if he is not available, the Deputy Inspector General (DIG), shall approve and sign all FOIA policy guidance.
2. The DIG shall receive, respond to, and sign all FOIA appeal responses.
3. The SIGIR FOIA Officer shall:

- a. Receive all FOIA requests;
  - b. Assign each request a FOIA case tracking number;
  - c. Log and track each request;
  - d. Refer each request to the responsible SIGIR office and coordinate the collection of responsive documents with the responsible Assistant Inspector General or other appropriate SIGIR official;
  - e. When appropriate, refer records to, or consult with, other agencies or entities that originated records found in SIGIR;
  - f. Redact, or supervise the redaction of documents as necessary;
  - g. Draft response letters;
  - h. Establish, charge, and collect fees as appropriate using the FOIA Reform Act of 1986: Uniform FOIA Fee Schedule and Guidelines, 52 Fed. Reg. 59, March 27, 1987;
  - i. Prepare and submit all required FOIA reports.
4. The General Counsel shall:
- a. Designate an attorney on his/her staff to review all FOIA responses for legal sufficiency prior to releasing any response;
  - b. Designate a different attorney from the one who reviewed the initial FOIA response to assist the DIG with preparation of the agency's appellate responses and manage any litigation arising there from.
5. All SIGIR employees shall:
- a. Cooperate with the FOIA Officer by making a reasonable search for and identifying and producing responsive records as quickly and efficiently as possible when requested;
  - b. Notifying the FOIA Officer if they receive a FOIA request that has not been routed through the FOIA Office;
  - c. Identify information that can be proactively released in advance of FOIA requests.

**Section VI**

**Discretionary Disclosure**

1. The FOIA Officer will identify SIGIR materials that may be made available for inspection and copying without a FOIA request, pursuant to 5 U.S.C. Sec. 552(a)(2) of the FOIA.
2. The FOIA Officer shall coordinate with the SIGIR webmaster to ensure that SIGIR

public documents are made available online.

**Section VII**

**Processing FOIA Requests:**

1. The FOIA Officer is responsible for processing initial FOIA requests and has initial denial authority.
2. The FOIA Officer will log and track all SIGIR FOIA requests.
3. After logging the request into the SIGIR FOIA tracking system, the FOIA Officer will open a FOIA file and will route the request to any SIGIR office that may have responsive records, and will advise the responsive office when the request is due.
4. The appropriate SIGIR office will promptly conduct a search reasonably calculated to uncover all relevant documents and make copies of such records for the FOIA Officer. If the request is for records that may be in several offices or other agencies, and/or is voluminous or complicated, the responsive office will notify the FOIA Officer promptly so that she/he may pursue an extension of time with the requester.
5. If a search for records produces no responsive records in SIGIR, the FOIA Officer will prepare a letter informing the requester of this fact and of his/her right to appeal.
6. If a search produces entire records that originated with another agency, the FOIA Officer will refer those records to that agency for response and notify the requester that this has been done.
7. If a search produces SIGIR records that include information from or records of another agency, the FOIA Officer will consult with that agency to determine whether that agency has any view as to whether all or part of the records should be disclosed. If this consultation delays SIGIR's response, the FOIA Officer will notify the requester.
8. If a search produces responsive records in SIGIR, the FOIA Officer will draft a response to the requester, including any documents that may be released, with redactions, if any, and the reasons therefore, any fees charged, and appeal rights, as appropriate.
9. The FOIA Officer will provide the drafts of all FOIA responses to the General Counsel for review.
10. The FOIA Officer will advise the requester of any fees associated with the request and will make every effort to collect any fees charged.

**Section VIII**

**FOIA Appeals:**

1. All FOIA responses except those in which all records requested are released, must include a statement of appeal rights.
2. When the DIG receives a FOIA appeal, she/he shall immediately notify the FOIA

Officer, who will log the appeal, note the due date, and provide the FOIA file, due date, and all other relevant information to the DIG.

3. The designated General Counsel attorney will assist the DIG in responding to the appeal.
4. When the appeal process is completed, the FOIA file and all other relevant documents shall be returned to the FOIA Officer for filing.

**Section IX**

**Annual Reports:**

1. The FOIA Officer will prepare all required annual reports, including the statistics required by 5 U.S.C. 552(e)(1) of the FOIA and will comply with current Attorney General reporting and performance guidelines or other requirements.
2. The annual FOIA report will be published on the SIGIR website.

**Section X**

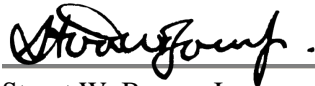
**Effective Date:**

APR 26 2011

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**Section XI**

**Approval:**



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