



I. Steps Taken to Apply the Presumption of Openness

1. Since the passage of the Electronic Freedom of Information Act Amendments of 1996 (E-FOIA), the Office of Inspector General (OIG) has taken a proactive approach to providing the public with audit, evaluation, and inspection reports in a timely manner on the OIG's webpage. To date, the OIG has posted 649 such reports, including the addition of the OIG's Recovery Oversight Office (ROO) reports in March 2009. Furthermore, we have been a leader among Inspector General Offices in posting a significant number of investigative reports (51).

We employ a balancing test when reviewing FOIA requests for investigative reports by weighing the personal privacy interests against a qualified public interest. To the extent that we can provide information without violating a personal privacy interest, we have and will continue to do so. The [OIG's webpage](#), in particular the "Special Reports" section, illustrates our ability to make discretionary or partial releases of records when full disclosure is not feasible. For example, on September 17, 2009, the OIG posted a special report on the website pertaining to the alleged mismanagement and unethical decision making at Gettysburg National Military Park by Superintendent John Latschar. While our investigation found no evidence that Superintendent Latschar was involved in criminal activity or conflict of interest in contracting practices providing construction management services for the museum and visitor's center, the OIG determined the release of this investigation to the public "link[ed] transparency with accountability."

Additionally, the OIG intranet site posts important information for OIG employees pertaining to the FOIA, including links to President Obama's FOIA Memorandum and Attorney General Holder's FOIA Guidelines. The OIG FOIA Office also provides a briefing that is consistent with these new guidelines and a FOIA orientation presentation to all new OIG employees is posted on the OIG intranet site.

2. The following responds to the request for information about annual changes in the number of full and partial record releases. In the FOIA annual report for FY08, the OIG reported 5 full record releases and 22 partial record releases. In FY09, the OIG had 3 full record releases and 33 partial record releases. As shown below, the OIG posted 51 audit, inspection, and evaluation reports and 10 special reports to the OIG webpage in FY08. In FY09, the OIG posted 45 audit, inspection, and evaluation reports; 15 ROO reports; and 7 special reports to the OIG webpage.



Office of Inspector General

Department of the Interior

Chief FOIA Officer Report to the Attorney General

FY 2008

FULL RECORD RELEASES FROM FY08 FOIA ANNUAL REPORT	PARTIAL RECORD RELEASES FROM FY08 FOIA ANNUAL REPORT	REPORTS POSTED ON THE WEBSITE
5	22	61

FY 2009

FULL RECORD RELEASES FROM FY09 FOIA ANNUAL REPORT	PARTIAL RECORD RELEASES FROM FY09 FOIA ANNUAL REPORT	REPORTS POSTED ON THE WEBSITE
3	33	67

The majority of FOIA requests that the OIG receives are for investigative reports. In recent years, the reports have often had numerous attachments. We also receive requests for the investigatory report and file, which includes all of the attachments and supporting documentation obtained during the course of the investigation and the agent's notes. It is not possible to prepare a full record release for investigative reports due to the privacy exemptions of the FOIA and the Privacy Act.

As an examination of our website postings demonstrates, the OIG is committed to keeping the public informed and will continue to provide timely information to the public regarding DOI programs and offices.

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

We are constantly reviewing the effectiveness of our FOIA program in order to ensure that we meet our commitment to the public through the disclosure of information pertaining to Department of the Interior operations and activities. In responding to the need for improvements in the timeliness of our responses, the OIG hired two FOIA contractors in July 2009 and added a Federal Career Intern in January 2010. In addition, OIG attorneys in the Office of General



Office of Inspector General

Department of the Interior

Chief FOIA Officer Report to the Attorney General

Counsel (OGC) were provided to the FOIA program to enhance the quality of our FOIA responses and provide the necessary review of the work of our contractors. These attorneys also assist the FOIA unit by reviewing various reports we post on the OIG webpage. In September 2009, the OGC obtained clerical support that is available to assist with administrative tasks relating to FOIA.

We have an electronic FOIA tracking system (FOIAXpress) that is designed to improve our redaction capability. We found it more cost effective to have a second software system for redaction for those employees that do not have access to FOIAXpress. The OIG Information Technology staff works closely with the FOIA staff in ensuring that the reports posted to the website are secure and comply with Section 508 requirements. They also provide support and technical assistance for FOIAXpress by troubleshooting and installing system updates.

We are currently dividing the FOIA staff's time between the oldest backlogged requests, current requests, and litigation. The FOIA contractors process the oldest backlogged requests, the OIG Information Disclosure Specialist processes the newer cases, and the FOIA Officer reviews the work of the FOIA contractors and the Federal Career Intern in addition to processing the high-profile cases and managing all the FOIA litigation matters. The Federal Career Intern works on the full record release requests and assists with the application of the approved redactions and other miscellaneous clerical matters. We are focusing more on customer service and making concerted efforts to contact our FOIA requesters frequently to keep them apprised of the status of their request.

III. Steps Taken to Increase Proactive Disclosures

As stated under Part I of this report, the OIG FOIA personnel review the reports produced by OIG for posting on our website for the public. In March 2009, we added the FOIA review of reports from the ROO of the OIG.

The OIG webpage contains the audit, evaluation, and inspection and ROO reports. It also contains many of our investigative reports (listed as "Special Reports"). These postings are designed to provide exceptional transparency and timely information to the public. Our posting of investigative reports in particular is rare in the law enforcement community and demonstrates our commitment to provide the public with unprecedented access to our work.

During the first two quarters of FY10, the OIG has posted 6 Special Reports, 8 Audit, Evaluation, and Inspection reports, and 10 ROO reports. Below is a sampling of our recent published reports:



Office of Inspector General

Department of the Interior

Chief FOIA Officer Report to the Attorney General

SPECIAL REPORTS	
Cape Wind Associates, LLC (2/3/2010)	http://www.doioig.gov/upload/Redacted%20report%20for%20Web.pdf
George Wright Society (2/4/2010)	http://www.doioig.gov/upload/GWS%20ROI%20020410%20GS_Final.pdf

AUDIT, EVALUATION, AND INSPECTION REPORTS	
School Violence Protection (2/2010)	http://www.doioig.gov/upload/2010-I-0010.pdf
The Department of the Interior Roads Programs – The Dangers of Decentralization (2/2010)	http://www.doioig.gov/upload/2010-I-0010.pdf

RECOVERY OVERSIGHT OFFICE REPORTS	
Recovery Oversight Advisory – Bureau of Land Management State Office Early Implementation Efforts and Project Tracking on January 14, 2010	http://www.doioig.gov/uploadPDF/ROO-BLM-3001%20State%20Office%20F1-13-10.pdf
Recovery Oversight Advisory – Youth Cooperative Agreements at Mount Rainier National Park on January 10, 2010	http://www.doioig.gov/uploadPDF/MOA-1016%20Mt%20Rainier%20F1-07-10.pdf



IV. Steps Taken to Greater Utilize Technology

1. Yes, the OIG receives requests electronically and via fax. The OIG created an electronic mailbox for the receipt of FOIA requests on November 25, 2003.
2. Not Applicable
3. Yes, the OIG tracks requests electronically using FOIAXpress.
4. Not Applicable
5. Yes, the OIG uses technology to process requests. The OIG has redaction capability with FOIAXpress. FOIA staff also use Adobe Acrobat Professional 9 for that purpose.
6. Not Applicable
7. Yes, the OIG uses technology to prepare its FOIA annual report. We use FOIAXpress and Microsoft Excel.

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

1. The OIG backlog reported in the 2009 DOI FOIA Annual Report covers the total backlog at the end of that fiscal year versus the backlog reported in the DOI Plan. The DOI FOIA Plan dated March 29, 2007 set forth goals for backlog reduction. The OIG backlog as of the date of the Plan was 212. We have reduced that backlog to 103 cases (51.4 percent) as of the end of FY09, thereby meeting the goal established in the DOI FOIA plan. Our *total* backlog at the end of FY09, however, was 253 while our total backlog at the end of FY08 was 252. The oldest case OIG closed in FY09 was dated 5/5/1997. For FY10, the oldest case pending is dated 8/14/2000.
2. At the beginning of FY09, the OIG FOIA office had a staff of two. The FOIA Officer managed two FOIA litigation cases, as well as processed FOIA cases (both backlog and current), reviewed all of the Special Reports for placement on the OIG webpage, reviewed the work of the Information Disclosure Specialist, and reviewed audit, evaluation, and inspection reports. The Information Disclosure Specialist processed FOIA cases (both backlog and current cases), FOIA appeals, reviewed reports for public posting, handled requests for OIG reports of investigation in disciplinary matters, and provided support to OGC with Tribal Trust litigation. Additionally, we



Office of Inspector General

Department of the Interior

Chief FOIA Officer Report to the Attorney General

experienced significant technical difficulties with our electronic FOIA case tracking software from late 2008 thru part of 2009.

To address these obstacles, the OIG hired two full-time FOIA contractors in July 2009 to work exclusively on the FOIA backlog. On September 29, 2009, the OGC acquired full-time clerical support and this staff member has been assigned to assist the FOIA group. Additionally, the OIG hired a Federal Career Intern in January 2010 who is currently assigned to the FOIA group and OGC staff attorneys are assisting with the secondary review of the contractors' work. (See also the discussion of our improvement efforts in Part II.)

In FY10, our commitment to the Department is to reduce our backlog by 10 percent. However, within OIG, our commitment is much greater. Our senior manager responsible for the FOIA program has committed to a significant reduction in of the OIG's backlog of FOIA cases. This will be achieved by proper utilization of the additional resources provided to the FOIA office.

3. For FY10, the OIG FOIA staff is utilizing e-mail and phone calls to ensure that requesters are aware of the status of their requests. When we receive the results of our document search inquiry, we immediately contact the requester. In instances where a report of investigation has attachments, we provide the requester with a listing of the attachments with appropriate redactions, if necessary. When a requester asks for audit workpaper files, we also provide an index of the files. We want to give the requester an opportunity to exclude documents they have no interest in receiving, thereby avoiding fees for unnecessary documents and reducing processing time. The additional staffing in FY09 has also helped us improve our timeliness in responding to requests.