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The Department of the Interior 2013 Chief FOIA Officer Report¹

Section I: Steps Taken to Apply the Presumption of Openness

Describe the steps your agency has taken to ensure that the presumption of openness is being applied to all decisions involving the FOIA. To do so, you should answer the questions listed below and then include any additional information you would like to describe how your agency is working to apply the presumption of openness.

1. *Did your agency hold an agency FOIA conference, or otherwise conduct training during this reporting period? Did your FOIA professionals attend any FOIA training, such as that provided by the Department of Justice?*

Yes.

- The Departmental FOIA Policy Staff host monthly FOIA Officer meetings. The meetings are led by the Departmental FOIA Policy Staff on behalf of the Chief FOIA Officer and attended by the bureau FOIA Officers and members of the Office of the Solicitor (SOL). These meetings include training and briefings to make FOIA personnel aware of changes to FOIA, the Administration's FOIA policies, Department of Justice (DOJ)/Office of Management and Budget requirements, the latest FOIA case law, and the Department's policies/procedures. Inconsistencies, errors, and other problems noted in appeals/lawsuits are also addressed.
- In light of shrinking Federal budgets, the Department has been moving towards providing FOIA training via video or teleconference to reduce travel costs and increase the number of personnel participating in training. For example, at two of the monthly FOIA Officers meetings mentioned above, the Departmental FOIA Policy Staff provided webinars on its Electronic FOIA Tracking System.
- The Departmental FOIA Policy Staff, bureau FOIA Officers, and other Departmental FOIA personnel continued to provide briefings and training for bureau FOIA personnel as needed to reinforce Departmental policy and procedures and to make them aware of changes in FOIA case law, the Administration's policies, and DOJ requirements. For example:
 - The Departmental FOIA Policy Staff provided a two-day training session for Bureau of Indian Affairs (BIA) employees to strengthen their awareness of FOIA, including their responsibilities under the law and the

¹ This report describes actions taken to ensure overall compliance with FOIA and the Administration's FOIA guidelines taken by the Department's Chief FOIA Officer, the Departmental FOIA Policy Staff, and FOIA programs in the Department's 11 bureaus and offices that are responsible for receiving and responding to FOIA requests and for administering their own FOIA programs (hereafter referred to as bureaus). These individuals and bureaus have all provided input into this report.

- Administration's FOIA guidelines in May 2012. The training was held in Billings, Montana and employees attended from several BIA regions.
- The Departmental FOIA Policy Staff provided webinar training for bureaus interested in improving their FOIA Libraries.
 - The Bureau of Land Management (BLM) held brown-bag training sessions to assist understanding of the importance of FOIA.
 - The Department's FOIA & Privacy Act Appeals Officer provided training on Exemption 4 during conference calls for Fish and Wildlife Service (FWS) employees, at times joined by the Departmental FOIA Policy Staff.
- The Department adopted a new FOIA Departmental Manual which, among other things, makes bureau FOIA Officers responsible for "Providing technical assistance and training on at least an annual basis to ensure that, at a minimum, bureau employees responsible for processing FOIA requests are familiar with the FOIA and able to properly and promptly respond to requests (while the scope of the training is at the Bureau FOIA Officers' discretion, the Departmental FOIA Policy Staff's concurrence must be obtained before the training is presented)."
 - The Departmental FOIA Policy Staff attended several training sessions provided by the Department of Justice, including a July 24, 2012 Director's Lecture (on Achieving FOIA Goals) and an October 15, 2012 refresher training session (to go over the reporting requirements for Fiscal Year 2012 Annual FOIA Reports and 2013 Chief FOIA Officer Reports).
 - The Departmental FOIA Policy Staff also attended a September 11, 2012 joint training conference hosted by the Environmental Protection Agency, Department of Commerce, Office of Government Information Services, National Archives and Records Administration, Department of Homeland Security, Department of Transportation, and Merit Systems Protection Board and a February 11, 2013 interagency FOIA symposium.

In his 2009 FOIA Guidelines, the Attorney General strongly encouraged agencies to make discretionary releases of information even when the information might be technically exempt from disclosure under the FOIA. OIP encourages agencies to make such discretionary releases whenever there is no foreseeable harm from release.

2. *Did your agency make any discretionary releases of otherwise exempt information?*

Yes. The Department considers making a discretionary release whenever the release would not foreseeably harm an interest protected by a FOIA exemption. The Department currently does not track discretionary disclosures. However, the majority of the Department's bureaus reported making discretionary releases of information during the reporting period.

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

The bureaus that reported making discretionary releases did so primarily for material that would have been covered by Exemption 5 under the deliberative process privilege.

4. *Provide a narrative description, or some examples of, the types of information that your agency released as a matter of discretion.*

The Department's discretionary releases most often included information that could have been protected under Exemption 5, like drafts, internal memoranda, and emails. For example, these types of materials were released in the following instances:

- The BLM discretionarily released information about the North Steens 230-kV Transmission Line Project and items related to the Economic Analysis of Critical Habitat Designation for the Northern Spotted Owl.
 - The FWS discretionarily released information about impacts on migratory birds of wind turbines, including information on bird and bat mortality.
 - The Office of Surface Mining discretionarily released information relating to an Environmental Assessment for BHP Navajo Mine Area 3 & 44 N (12-35).
5. *Describe any other initiatives undertaken by your agency to ensure that the presumption of openness is being applied.*

This past summer, the Departmental FOIA Policy Staff instituted a new quarterly reporting requirement for each bureau. Bureaus are asked to describe their accomplishments for each quarter, including: steps taken to improve their FOIA program, at least two instances of meaningful discretionary disclosures, at least two instances of meaningful proactive disclosures, and at least one example of how they improved its online presence. This helps ensure that both FOIA improvement and openness are issues that are constantly before the bureaus. Additionally, the presumption of openness is a reoccurring issue in formal and informal training given by (and to) Department employees.

Section II: Steps Taken to Ensure that Your Agency Has an Effective System in Place for Responding to Requests

Describe here the steps your agency has taken to ensure that its system for responding to requests is effective and efficient. To do so, answer the questions below and then include any additional information that you would like to describe how your agency ensures that your FOIA system is efficient and effective.

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

Yes. The fact that the Chief FOIA Officer is the Department's Chief Information Officer helps ensure that the FOIA Program receives sufficient IT support. An example of our IT support is the Departmental FOIA webpage at

<http://www.doi.gov/foia/index.cfm>, which was entirely revamped this year on a specially expedited schedule. Not only is this webpage much more user-friendly than previous versions, it also allows the Departmental FOIA Policy Staff to initiate immediate updates and changes to the website without having to wait for external assistance. Additionally, the Departmental FOIA Policy Staff provides support and training on IT issues ranging from redaction software to the Department's Electronic FOIA Tracking System (EFTS), which is discussed below.

2. *Do your FOIA professionals work with your agency's Open Government Team?*

Yes. The FOIA Policy Staff has joined with the Collaborative Action and Dispute Office (CADR), the head of the Department's Open Government Team, to work towards meaningful transparency goals. For example, a new FOIA practice group has been initiated for the Solicitors Office's FOIA attorneys (a key supporter of the Open Government Team). The group meets monthly to disseminate information about new FOIA case law and issues, share practice tips, and discuss transparency issues. Practice group meetings include a presentation by the Departmental FOIA Policy Staff and are attended by a member of CADR.

3. *Has your agency assessed whether adequate staffing is being devoted to FOIA administration?*

Yes. The staffing challenges that some bureaus face hinge on multiple factors:

- FOIA processing often remains a collateral duty (e.g., many bureau FOIA Officers also serve as Privacy Officers and/or Records Officers);
- FOIA processing can be overtaken by other urgent priorities;
- Many bureaus are receiving FOIA requests of an increasingly complex and voluminous nature; and
- Budgetary uncertainty can impact long-term planning.

Assessment of adequate staffing issues most frequently occurs in the context of backlog reduction. Although the diverse missions, geographical ranges, and resources of the Department's bureaus preempt a "one size fits all" approach to resolving staffing problems, the majority of the bureaus made measurable improvements in their backlogs and response times. For those bureaus that continue to struggle, the Departmental FOIA Policy Staff continue to work one-on-one with them to recommend and guide the implementation of solutions. Solutions in FY12 included:

- Hiring additional employees (whether permanently or for term positions);
- Using contract employees; shifting existing employees temporarily to FOIA matters; redistributing work geographically, if one region is overwhelmed; encouraging management to prioritize their employees' FOIA work;

- Considering whether additional time can be spent on FOIA (for example, by offering overtime); and
 - Providing training and guidance to new and existing FOIA personnel to increase their efficiency.
4. *Describe 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, streamlining consultations, eliminating redundancy, etc.*

As discussed above, this past summer, the Departmental FOIA Policy Staff instituted a new quarterly reporting requirement for each bureau. The Departmental FOIA Policy Staff has also initiated a new email contact list for the Department's FOIA community, to quickly and efficiently disseminate information. Additionally, this Winter the Departmental FOIA Policy Staff replaced outdated and inefficient guidance documents by adopting new FOIA regulations (as discussed below) and a new FOIA Departmental Manual. The Departmental FOIA policy staff also updated the "FOIA Request Status" public interface on its FOIA website, as discussed below, to enable FOIA requesters to check on the status of their individual requests whenever they choose.

The Department employs a centralized, Web-based EFTS to electronically assign request numbers and track request data. All bureaus (except the Office of the Inspector General) use EFTS. The EFTS was designed to increase information-sharing, eliminate redundancy, provide greater accountability and consistency in responses, and accommodate enhancements to meet future requirements. The Departmental FOIA Policy Staff initiated a number of updates and improvements to EFTS this year, including:

- Adding data-entry validation features to enhance the accuracy of EFTS's information to ensure consistent and accurate reports;
- Developing automatic reporting tools to audit data and run customized reports;
- Facilitating remote-access to EFTS on government-issued laptops;
- Interfacing with our public request-status-tracking tool on a real time basis, as discussed below;
- Breaking out data in various offices on a more granular level to streamline operations and increase transparency and accountability; and
- Continuing efforts to add FOIA/Privacy Act appeals data to the EFTS.

Bureaus also took steps to streamline operations. For example:

- The BLM purchased standardized software for reviewing documents and distributed it bureau-wide to assist with document review. This action resolved the differences between reviewed documents, making review coordination easier

when documents are being processed for surnaming. The BLM FOIA Officer also met with senior-level BLM officials to encourage the support of responsive records being produced quickly in response to search inquires and implemented “heads up” emails to advise them of pending search inquires.

- The Bureau of Offshore Energy Management (BOEM) launched a new website, converted over two thousand individual pages from predecessor websites to the new site, and is working to increase transparency through the development of a strategic plan for the second phase of its website development.
- A number of bureaus have reduced their backlogs and/or overall response times by:
 - Scanning and electronically transmitting requested documents for review or consultation in conjunction with using redaction software, thereby significantly reducing the time needed for the consultation and review processes;
 - Increasing proactive disclosures to reduce the public’s need to file FOIA requests; and/or
 - Delegating signature authority to the lowest responsible level possible (e.g., field offices) and eliminating excess layers of review, where appropriate, thereby reducing or eliminating the need to send documents to an external review authority and back.

Section III: Steps Taken to Increase Proactive Disclosures

Describe here the steps your agency has taken both to increase the amount of material that is available on your agency website, and the usability of such information, including providing examples of proactive disclosures that have been made during this past reporting period (i.e., from March 2012 to March 2013). In doing so, answer the questions listed below and describe any additional steps taken by your agency to make and improve proactive disclosures of information.

1. *Provide examples of material that your agency has posted this past year.*
 - As mentioned above, the Departmental FOIA webpage at <http://www.doi.gov/foia/index.cfm> was entirely revamped this year. Among the materials included on the website are frequent updates of new developments of interest both to members of the public and Departmental employees. For example, when the Department’s new FOIA regulations were open for comment, the Department prominently featured that status on its website. After the comment period closed, the Department announced when the final rule was published and when it went into effect, along with a discussion of the major themes of the new regulations. It also included frequent updates and training opportunities, including Office of Information Policy updates and training.
 - The U.S. Geological Survey’s (USGS) new National Geologic Map Database (NGMDB) improves the integration of publication citations, stratigraphic nomenclature, downloadable content, and unpublished source information, thereby greatly improving public access to this archive of the Nation’s geologic

knowledge. A significant feature of the new site is “MapView”—a visually-compelling new interface that uses the latest technology to seamlessly portray the Nation’s geologic maps published by the USGS, the state geological surveys, and many others. These maps, now available through the NGMDB in several popular and easy-to-use formats, can be viewed in detail and downloaded from the various publishers. The USGS also proactively promotes its online presence through a Multi-Media Gallery, on which it publishes hundreds of photographs and videos, along with some audio files; continues to publish vast quantities of scientific reports in their publications warehouse; and publishes Earth Art from three sensors aboard satellites orbiting the Earth: Landsat 7, ASTER, and MODIS.

- The Bureau of Safety and Environmental Enforcement’s (BSEE) website <http://www.bsee.gov/Regulations-and-Guidance/Notices-Letters-and-Information-to-Lessees-and-Operators.aspx> provided notices to lessees and operators proactively and immediately provides formal documents that provide clarification, description, or interpretation of a regulation or U.S. Outer Continental Shelf (OCS) standard.
 - The BLM established websites for upcoming roundups of burros, for example, when the Chemehuevi Nuisance Burro Removal was pending, the environmental documents associated with the roundup and Record of Decision were posted, along with maps and information about the Herd Management Area. After the roundup took place, roundup statistics were posted. Links to the procedures for adopting a burro were also posted.
2. *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, such as soliciting feedback on the content and presentation of the posted material, improving search capabilities on the site, creating mobile applications, providing explanatory material, etc.?*

Yes.

3. *If so, provide examples of such improvements.*

- The Department’s main FOIA website (<http://www.doi.gov/foia>) contains links to all of the bureau FOIA websites and FOIA Libraries to make them easy for the public to find, and all of the links (along with contact information) were frequently checked and updated as needed.
- The Department’s website contains a “Customer Comment Form” inviting feedback from visitors via email.
- The bureaus are also seeking to improve their FOIA websites. For example:
 - The BSEE has incorporated research tools into its webpages to help determine who its users are and what information will be most beneficial to their needs.
 - The BSEE also publishes an enforcement newsletter on a quarterly basis.
 - As discussed above, BOEM has launched a new website. It includes extensive information on the Five Year OCS Oil and Gas Leasing

Program for 2012-2017. It also contains a new webpage for the Environmental Study Program Information System (ESPIS) (which supports the Environmental Studies Program (ESP) as a means to gather and synthesize environmental and social and economic science information to aid decision-making for the offshore oil and gas program) that contains all completed ESP reports available online, including images and graphics. Technical summaries of over 700 environmental research projects, as well as copies of over 2,000 research reports, are available for online full-text searches and information is grouped geographically to facilitate retrieval.

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

As discussed above, this past summer, the Departmental FOIA Policy Staff instituted a new quarterly reporting requirement for each bureau. Bureaus are asked to describe their accomplishments for each quarter, including: steps taken to improve their FOIA program, at least two instances of meaningful discretionary disclosures, at least two instances of meaningful proactive disclosures, and at least one example of how they improved its online presence. This helps ensure that proactive disclosures are currently brought to the bureaus' attention. Additionally, the importance of proactive disclosures is a reoccurring issue in formal and informal training given by (and to) Department employees.

Section IV: Steps Taken to Greater Utilize Technology

Electronic receipt of FOIA requests:

1. *Can FOIA requests be made electronically to your agency?*

Yes.

2. *If your agency is decentralized, can FOIA requests be made electronically to all components of your agency?*

Yes.

Online tracking of FOIA requests:

3. *Can a FOIA requester track the status of his/her request electronically?*

Yes.

4. *If so, describe the information that is provided to the requester through the tracking system. For example, some tracking systems might tell the requester whether the request is "open" or "closed," while others will provide further details to the requester throughout the course of the processing, such as "search*

commenced" or "documents currently in review. "List the specific types of information that are available through your agency's tracking system.

In past years, the tracking system would only help the requester track the status of their request on a monthly basis (i.e., updates were posted monthly via PDF). This year, however, the Department has instituted a meaningful change. FOIA requesters can now retrieve personalized results, using their FOIA tracking number, in real time. The results include the request date, receipt date, processing track, request status, and fee category.

5. *In particular, does your agency tracking system provide the requester with an estimated date of completion for his or her request?*

Yes. This is a new function that was put in place during this reporting period.

6. *If your agency does not provide online tracking of requests, is your agency taking steps to establish this capability?*

Not applicable.

Use of technology to facilitate processing of requests:

7. *Beyond using technology to redact documents, is your agency taking steps to utilize more advanced technology to facilitate overall FOIA efficiency, such as improving record search capabilities, utilizing document sharing platforms for consultations and referrals, or employing software that can sort and de-duplicate documents?*

Yes.

8. *If so, describe the technological improvements being made.*

In 2011, the Department released an information technology (IT) Transformation Strategic Plan. The strategic plan was a high-level roadmap to transform the Interior's IT operations. It identified an initial set of high priority IT services as part of the transformation process, including a single email system for the department, a Cloud-based electronic forms system, Cloud-based electronic records, telecommunications, account management, hosting services, workplace computing services, risk management, and an enterprise service desk (help desk). The implementation of the strategic plan is now in full swing and the Departmental FOIA Staff has been offering input and suggestions on a regular basis.

Additionally, some bureaus reported using collaboration software to facilitate the review process for documents requiring review by multiple offices or multiple individuals within the bureau. Some bureaus also use this kind of software to post

internal procedural guidance for the processing of documents in response to requests. Other bureaus are overhauling their websites and taking advantage of social media sites to proactively disseminate information.

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

1. *Section VII.A of your agency's Annual FOIA Report, entitled "FOIA Requests – Response Time for All Processed Requests," includes figures that show your agency's average response times for processed requests. For agencies utilizing a multi-track system to process requests, there is a category for "simple" requests, which are those requests that are placed in the agency's fastest (non-expedited) track, based on the low volume and/or simplicity of the records requested. If your agency does not utilize a separate track for processing simple requests, answer the question below using the figure provided in your report for your non-expedited requests.*

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

Yes.

b. If so, for your agency overall, for Fiscal Year 2012, was the average number of days to process simple requests twenty working days or fewer?

Yes. It was two days.

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

Not applicable.

2. *Sections XII.D.(2) and XII.E.(2) of your agency's Annual FOIA Report, entitled "Comparison of Numbers of Requests/Appeals from Previous and Current Annual Report – Backlogged Requests/Appeals," show the numbers of any backlog of pending requests or pending appeals from Fiscal Year 2012 as compared to Fiscal Year 2011. You should refer to those numbers when completing this section of your Chief FOIA Officer Report. In addition, Section VII.E, entitled "Pending Requests – Ten Oldest Pending Requests," and Section VI.C.(5), entitled "Ten Oldest Pending Administrative Appeals," from both Fiscal Year 2011 and Fiscal Year 2012 should be used for this section.*

a. If your agency had a backlog of requests at the close of Fiscal Year 2012, did that backlog decrease as compared with Fiscal Year 2011?

Yes. It decreased from 524 to 449, or 14%.

b. If your agency had a backlog of administrative appeals in Fiscal Year 2012, did that backlog decrease as compared to Fiscal Year 2011?

Yes. It decreased from 222 to 186, or 16%.

c. In Fiscal Year 2012, did your agency close the ten oldest requests that were pending as of the end of Fiscal Year 2011?

Yes.

d. In Fiscal Year 2012, did your agency close the ten oldest administrative appeals that were pending as of the end of Fiscal Year 2011?

Yes.

3. *If you answered “no” to any of the above questions, describe why that has occurred. In doing so, answer the following questions then include any additional explanation:*

Request Backlog:

a. Was the lack of a reduction in the request backlog a result of an increase in the number of incoming requests?

Not applicable.

b. Was the lack of a reduction in the request backlog caused by a loss of staff?

Not applicable.

c. Was the lack of a reduction in the request backlog caused by an increase in the complexity of the requests received?

Not applicable.

d. What other causes, if any, contributed to the lack of a decrease in the request backlog?

Not applicable.

Administrative Appeal Backlog:

a. Was the lack of a reduction in the backlog of administrative appeals a result of an increase in the number of incoming appeals?

Not applicable.

b. Was the lack of a reduction in the appeal backlog caused by a loss of staff?

Not applicable.

c. Was the lack of a reduction in the appeal backlog caused by an increase in the complexity of the appeals received?

Not applicable.

d. What other causes, if any, contributed to the lack of a decrease in the appeal backlog?

Not applicable.

4. *OIP has issued [guidance](#) encouraging agencies to make interim releases whenever they are working on requests that involve a voluminous amount of material or require searches in multiple locations. By providing rolling releases to requesters agencies facilitate access to the requested information. If your agency had a backlog in Fiscal Year 2012, please provide an estimate of the number of cases in the backlog where a substantive, interim response was provided during the fiscal year, even though the request was not finally closed.*

The Department estimates that it provided a substantive, interim response for eighteen percent of the number of the requests on its FY12 backlog.

Use of FOIA's Law Enforcement "Exclusions"

In order to increase transparency regarding the use of the FOIA's statutory law enforcement exclusions, which authorize agencies under certain exceptional circumstances to "treat the records as not subject to the requirements of [the FOIA]," 5 U.S.C. § 552(c)(1), (2), (3), please answer the following questions:

1. *Did your agency invoke a statutory exclusion during Fiscal Year 2012?*

No.

2. *If so, what was the total number of times exclusions were invoked?*

Not applicable.

Spotlight on Success

Out of all the activities undertaken by your agency since March 2012 to increase transparency and improve FOIA administration, describe here one success story that you would like to highlight as emblematic of your agency's efforts. The success story can come from any one of the five key areas.

The Department's new FOIA regulations went into effect on January 30, 2013 and can be found at: <http://www.ecfr.gov/cgi-bin/text-idx?c=ecfr&SID=993606fb5ddde4c6be5b09f8e6fc81ac&rgn=div5&view=text&node=43:1.1.1.1.2&idno=43>. They can also be found on the Department's FOIA website: <http://www.doi.gov/foia/news/guidance/index.cfm>. Drafting the new regulations, commenting on them, and seeing them through to publication was an extensive effort that involved a large proportion of the Department's FOIA community. The main themes of the revisions to the regulations are:

- *The revisions incorporate clarifications and updates resulting from changes to the FOIA and case law.* In 2007, Congress made substantial amendments to the FOIA through the OPEN Government Act of 2007 (the 2007 Amendments). In a recent case (*Bensman v. National Park Service*, 2011 U.S. Dist. LEXIS 88380 (D. D.C. Aug. 16, 2011)), the court noted that the Department's FOIA regulations did not take the 2007 Amendments into account. The Court also found that the Department's FOIA regulations were inconsistent with the Department's other FOIA guidance material. The revisions bring the Department's regulations in line with the 2007 Amendments, particularly in the sections addressing the Department's time limits for FOIA responses and how that relates to the Department's ability to charge FOIA requesters' fees (see Subpart D).
- *The revisions incorporate changes to the language and structure of the FOIA regulations in order to improve the Department's FOIA performance.* More nuanced multitrack processing (through which the Department places simple requests, requiring relatively minimal review, in one processing track and more voluminous and complex requests in one or more other tracks) can be found at § 2.15. The new Exceptional/Voluminous processing track will allow the Department to respond to FOIA requests more quickly and effectively. As the regulations went into effect, the Departmental FOIA Policy Staff reminded the Department's FOIA community that, although processing times vary by track, the time that the Department has to respond to a request (i.e., to say whether it will comply with the request) is mandated by statute and very rarely extends beyond thirty days. In other words, the use of multitrack processing does not alter the statutory deadline for a bureau to determine whether to comply with a FOIA request (see § 2.16).
- *The revisions include current cost figures to be used in calculating and charging fees and increase the amount of information that members of the public may receive from the Department without being charged processing fees.* Revisions of the Department's fee schedule can be found at § 2.42, § 2.49(a)(1), and Appendix A. Among other revisions, the amount at or below which the Department will not charge a fee will increase from \$30.00 to \$50.00 (the Departmental FOIA Policy

Staff instructed the Department's FOIA community to put this change into effect immediately, regardless of when the request was filed). The Departmental FOIA Policy Staff also noted, instructed the Department's FOIA community to put the slightly increased fees for production costs into effect for requests filed on or after January 30, 2013 (fees for requests that were filed before January 30, 2013, must be calculated using the old fee schedule).

- *The revisions clarify and update procedures for requesting information from the Department and procedures that the Department follows in responding to requests from the public.* The regulations have been reviewed with an eye towards plain language principles, including splitting sections into smaller pieces.