



Bureau of Land Management Wyoming

Freedom of Information Act Process

Freedom of Information Act (FOIA)
Electronic FOIA Tracking System (EFTS)
Deputy State Director (DSD)
Subject Matter Expert (SME)
State FOIA Specialist (SFS)
FOIA Coordinator (FC)

STEP 1: Receipt of the FOIA Request

- a. When a FOIA request is received via hand delivery, Us Postal Mail, FedEx, UPS, etc.: Mail Clerk will date stamp the FOIA request envelope or exterior packaging and deliver it to the local FC or SFS. The actual contents of the FOIA request should not be date stamped until received by FOIA Office for processing.
- b. If a FOIA request is received by e-mail or fax, forward the request electronically to the State FOIA Office for initial coordination and processing immediately to:
BLM_WY_FOIA@blm.gov
- c. In all cases, provide the request to the State FOIA Office within 24 hours of receipt.

STEP 2: Notification of the FOIA Request

- a. SFS will enter FOIA request in the Department of Interior EFTS to assign a FOIA tracking number.
- b. SFS will make entry of FOIA request into a local FOIA tracking log.
- c. SFS will create an electronic administrative case file maintained by the Wyoming (WY) State FOIA Office.
- d. SFS will draft and send a FOIA action via email from BLM_WY_FOIA@blm.gov with EFTS tracking # to applicable action offices with cc: to Leadership and/or State Office DSD (or SME/staff when applicable) for review/action/response (*upon request, related Leadership will be carbon copied*).

STEP 3: Scoping of the FOIA Request

NOTE: It is VERY important that these steps be completed as quickly as possible after receiving the FOIA request. These steps should be completed within 2-3 business days of FOIA request receipt.

- a. FCs and/or DSD will determine and consult with SMEs on the following once a FOIA action has been received:
 - i. Are the requested records maintained at the applicable field/district office?
 - ii. Are the records publicly available?
 - iii. Does the scope of the request require further clarification or narrowing?
- b. FCs and/or DSD will consult with SMEs as they deem appropriate to determine if the request is clearly understood.
- c. Does the request reasonably describe the records sought (do you understand what the requester wants?)
 - i. If no? FC and/or DSD/SME request clarification, e.g. dates, location, etc. immediately via the SFS to the requester.
- d. Determine whether the information is already available publicly
 - ii. If yes, inform the SFS promptly so the requester can be informed and the request can be closed.

If clarification is needed, immediately inform the SFS and wait for further direction...

If no additional clarification is required...

- e. Identify and estimate the number of potentially responsive pages, and approximate the number of hours to search, review, and process the FOIA if there are no clarification issues pending.
- f. FC or SME will prepare an “initial” FOIA Response Worksheet (Attachment 3) and return to SFS within three (3) business days of receipt. Ensure estimated time reflects only that time estimated to locate responsive records and the number of estimated pages. Do not include time it will take to photocopy or scan responsive records. Do not inflate the numbers, as this can be cause for appeal.
- g. FC ensures FOIA Response Worksheets are completed fully, correctly and accurately. If multiple SMEs are involved, FC will combine names/pay grades/search hours and the numbers of pages, etc. onto one worksheet per office and upload into corresponding network FOIA drive (<\\blm.doi.net\dfs\wy\so\share\S:\Common\WYShare\FOIA>). If unable to upload within 3 business days, FC will notify the SFS promptly and provide an estimated time of response for upload.

NOTE: A FOIA Response Worksheet must be filled out for every FOIA request processed.
- h. Simultaneously, if requester has asked for “Expedited” processing; the SFS will review the justification. If granted, SFS will notify the applicable offices immediately and the requester within 10 calendar days that the request will have priority over other requests within the FOIA processing track assigned.

- i. FC/DSD/SMEs will provide the SFS with initial scoping results. This information will be used by the SFS to evaluate next steps concerning fees and timelines associated with the request.
- j. SFS will review FOIA Response Worksheets to assess if requests can be “Determined” within 20 business days or if a 10-day business day extension, Complex or Exceptional/Voluminous track placement will be required for projected completion/response timelines.
- k. SFS will work with FC and/or DSD to determine if an installment schedule and target completion date will be required for Complex or Exceptional/Voluminous track requests
- l. SFS will perform cursory fee calculations to assess if there will be fee issues or fee waiver decisions that will need to be addressed.
- m. SFS will contact the requester for a “willingness to pay” and opportunity for requester to narrow the scope should the request require payment for processing.
- n. The SFS will notify the FC and/or DSD whether or not to continue processing the FOIA upon receipt of initial scoping information.
- o. Once the SFS resolves any fee or clarification issues (if applicable), the 20 workday (or other) timeline will begin.
- p. SFS will draft and coordinate informal and formal correspondence to requester such as acknowledgement letters, clarification and fee waiver decisions, etc.

STEP 4: Collecting Responsive Records

Once direction is received from the SFS, the FC and/or DSD will notify appropriate SMEs and staff as determined, to conduct reasonable search efforts on all sources likely to house responsive records, i.e. electronic files, paper files, e-mail, Google Drives, etc., to begin collecting responsive records.

NOTE: Search efforts should only be conducted within the scope of the request and on agency records maintained within BLM WY.

- a. * SMEs will determine if any preliminary FOIA Exemptions or Statues may apply to any, all, or portions there-of the responsive records.
- b. * SMEs will apply proposed/recommended redactions and withholding FOIA Exemptions (with assistance of FCs if needed) to responsive records using **Adobe Pro**.
- c. * FC and/or SMEs (when applicable) will upload all records in Portable Document Format (**PDF**) **form only** to the network FOIA drive (or approved Google Drive).
- d. * Providing one “Clean” copy (unredacted) version and one “proposed” exempted/redacted version that contain copies of the material that the respondents (SME) want to have considered for FOIA Exemption/withholding.
(when redacting, please highlight & not black out text)

- e. FC, SMEs, and/or DSDs will provide ALL responsive records to the FOIA scope *regardless* of impending exemptions, type of record(s), and/or opinions about the FOIA request.
- f. FC and/or SMEs will place all responsive (clean and redacted) material into their network FOIA drive (or approved Google Drive).

****Critical component of the FOIA response process***

NOTE: If a FC and/or State Office SME does not have access to the network FOIA drive as assigned, submit a Remedy Ticket promptly, do not delay!

STEP 5: Preparing Responsive Records

BLM WY FOIA processes requires electronic submission in PDF form only!

- a. It is the FC and/or DSDs (or staff) responsibility to ensure that all records/documents are scanned in as **PDF** form and saved as a single-side document. When scanning, ensure both sides are captured if data/information are on two-sides. Ensure pages are clear of post-it notes and pages are not cut off, missing, e.g. email attachments or turned up-side down.

Do not upload blank pages or folders

- b. Geographic Information System (GIS) Data: Provide geospatial information in its current and existing form and format. Include metadata where it exists; **do not** alter data, content, metadata or create data (or products/reports) if it does not exist to answer or respond to a FOIA request.

Sensitive and confidential geospatial data must be provided even if it will be withheld in its entirety; SMEs must identify and notify the FOIA Coordinator(s) of such information.

- c. Provide all responsive records even if the document will be withheld in its entirety. Final withholdings, redactions and denials can only be made and approved by the BLM WY State Director and the Office of the Solicitor (SOL) in consultation with the SFS.

STEP 6: Completing the Process

- a. If SME does not locate records in response to the FOIA request, sign and date the “no records” certification on FOIA Response Worksheet.
- b. FC and/or SME will prepare one (1) FOIA Response Worksheet with “actual” names/paygrades/time and page counts and submit via the network FOIA drive with responsive records by the due date assigned.
 - a. FC reviews the scope of the FOIA request to ensure the FOIA was answered appropriately and all requested items have been accounted for.
 - b. FC ensures all responsive records and forms have been uploaded to the network FOIA drive (or approved Google Drive) by the due date assigned.
- c. FC/SME/DSD notifies SFS via email to BLM_WY_FOIA@blm.gov that documents have been uploaded and are ready for review.

STEP 7: Reviewing/Completing Records for Final Response

(done by SFS and/or Acting at State Office)

- a. Completes initial review of responsive records from FOIA drives (and/or Google Drive) and conduct inquiries to FC and/or SMEs as necessary.
- b. Electronically transfers records to State Office FOIA administrative case file for working copy.
- c. Prepares records for electronic redacting by applying Bates numbering to all responsive records.
- d. Reviews all responsive records on a page-by-page basis. Applies suitable FOIA Exemptions and withholdings as appropriate using Adobe Pro while considering SME exemption recommendations.
- e. Drafts and coordinates informal and formal correspondence to requester and outside entities.
- f. Prepares and provides the necessary records and documents to the SOL for review of the proposed FOIA exemptions/withholdings.
- g. Should billing invoice be required, SFS will calculate final cost for processing the FOIA request from “actual” FOIA Response Worksheet and obtain invoice from BLM WY Cashier for inclusion with the final response letter to requester.
- h. Once the SOL has approved FOIA Exemptions, applies FOIA exemptions to electronic copies, finalizes formal response letter and routes for signature. Mails or emails responses to the requester.
- i. Enter final data into EFTS for FOIA case, mark “Completed” on the administrative file and consider case closed in the national database.
- j. Marks entry in local tracking log as closed.
- k. As BLM State Director requests, emails local FOIA tracking log to BLM Leadership and FCs for review.
- l. Once payment notification has been received, SFS enters the request as “paid” and the amount into EFTS.