

Idaho Freedom of Information Act Processing Checklist

State FOIA Coordinator (SFC)

Field FOIA Coordinator (FFC)

Subject Matter Expert (SME)

Freedom of Information Act (FOIA) Response Worksheet Form ID 1278-2 (ID 1278-2)

FOIA No Records Certification Form ID 1278-3 (ID 1278-3)

STEP 1: Receiving a FOIA Request

- A. FFC: Date stamp request letter on day received and submit original request to SFC.
- B. FFC: Scan/e-mail a copy of the request letter to the SFC at vshaw@blm.gov (or fax to (208) 373-3915) on the day received or the following business day.

STEP 2: Notification of Request

- A. SFC (or staff): Date stamp request letter on day received at the State Office.
- B. Enter FOIA request into the Department of the Interior (DOI) Electronic FOIA Tracking System (EFTS) and assign a local Idaho FOIA number.
- C. SFC (or staff): Set up FOIA case file, prepare an acknowledgement letter to the requester on the day received or next business day.
- D. SFC (or staff): Scan the request (with EFTS and Idaho FOIA number) and e-mail (same day received or next business day) to affected FFCs and/or State Office SMEs (when applicable), as well as the FOIA Attorney.
- E. FFC: Open field FOIA file and notify District or Field Manager if mandated by local requirements.

STEP 3: Scoping the Request

- A. SFC (or staff): Develop/mail acknowledgement letter within 3 business days of receipt.
- B. FFC: Provide SME(s) with a copy of the FOIA request upon receipt.
- C. SME: Determine if the request needs clarification in any of the following areas:
 1. Description of desired records;
 2. Scope of request (date range, overly board, other quantifying factors).
- D. FFC: Notify SFC same day (or next business day) when SME requires additional clarification.
 1. The SFC, FFC, and SME(s) will collaborate to develop a letter (or e-mail) asking for specific questions to or clarification from the requester when request is not clear.
 2. SFC (or staff): Format/mail certified letter to requester, making copy for the file. Update EFTS same day or next business day with the date the letter was sent to the requester.
 3. SME and FFC: Do not provide ID 1278-2 or search for or copy any records if there are clarification issues. Wait until issues are resolved.
 4. The SFC (or staff) will provide the FFC (and SME) with a copy of the requester's response to the clarification request.
- E. SFC: Review justification for "Expedited Processing" and/or "Fee Waiver," if received as part of the request. (Is it adequate to make a determination?) If expedited processing is approved, notify FFC and SME(s) immediately (same day) and the requester within 10 calendar days that the request will have priority over other requests within its track. If expedited processing is denied, ensure Solicitor review and concurrence. Notify

requester by letter within 10 calendar days. If fee waiver is approved (or denied), notify the requester by letter within 20 workdays from the date of receipt at the State Office. Ensure Solicitor review for fee waiver denials. State Director's signature is required for denials for both expedited processing and fee waiver requests.

- F. FFC and SME (with SFC): Identify other locations or agencies that may have responsive records if applicable.

STEP 4: Estimating Search Time and Number of Pages

- A. FFC with SME: If no additional clarification is required, and without written direction from SFC (or staff), prepare an "initial" ID 1278-2. Ensure estimated time reflects only that time expected to locate responsive records and the number of estimated pages. Do not include the time it will take to photocopy or scan responsive documents. Do not inflate the numbers, as this can be a cause for an appeal.
- B. FFC: Ensure ID 1278-2 forms are completed properly and submit to SFC within 3 business days from receipt of request (if request is clear) or from day SFC forwarded requester's clarification. Fax or e-mail ID 1278-2 to SFC (or staff).
- C. FFC: If multiple SMEs and the FFC are involved, combine names/pay grades/search hours and the number and size(s) of pages (types of media), etc., onto one ID 1278-2 per office (site). If FFC is unable to complete ID 1278-2 within 3 business days, contact the SFC with the date the ID 1278-2 will be submitted.
- D. SFC (or staff): Review ID 1278-2(s) to determine if request can be completed within 20 workdays or if a 10-day workday extension or complex track placement will be required. Perform cursory fee calculations to determine if there will be fee issues that need to be addressed.
- E. SFC: Work with FFC(s) and SME(s) to determine an installment schedule and a target completion date if the request is placed in the Complex or Exceptional/Voluminous Track.
- F. SFC (or staff): Contact the requester by letter if a "willingness to pay" statement or advance payment is required and/or provide an opportunity for the requester to reduce the scope of the request.
- G. SFC (or staff): Notify the requester within 20 workdays if there are fee issues, a 10-workday extension is being taken, or the request is being placed in the Complex or Exceptional/Voluminous Track for processing.
- H. SFC (or staff): Formally notify the FFC via e-mail to begin pulling and copying responsive records. Provide a date to the FFC as to when the documents are due in the State Office.
- I. FFC and SME: Proceed to Step 5 when notified to begin search.

STEP 5: Collecting Responsive Records

- A. SFC (or staff): Notify FFC in writing (via e-mail) to begin collecting documents when all issues (fee, clarification, etc.) are resolved.
- B. FFC: Advise SME(s) to begin their search when direction is received from the SFC staff.
- C. FFC: Remind the SME(s) and their staff to review "Search Tips" and to search all sources within the location/office likely to contain responsive records.
- D. FFC: Provide all responsive records, even if they are going to be withheld in full (i.e., attorney-client or proprietary).

- E. SME: If no records are found, complete ID 1278-3 indicating “no records” were found and where the search was conducted (or why we have no records as in *polar bears are not within the scope of Bureau of Land Management Idaho jurisdiction*).
- F. FFC and SME: If responsive records are located, proceed to Step 6.

STEP 6: Preparing Responsive Records

- A. FFC: Remind SME(s) to photocopy single-side only and not to count their copying time (at all). Scanning is preferred, but not required. When scanning or photocopying, ensure that fronts and backs are copied/scanned, to include, but not limited to photos with writing on the back. Ensure all scanned pages are clean and clear of any post-it notes and no information is cut off the edges of the page(s).
- B. FFC and/or SME: Make one photocopy of all responsive records or scan (preferred) and provide SFC one copy of the compact disk (CD) or digital video disk (DVD).
- C. FFC and/or SME: Ensure colored photographs are reproduced in color.
- D. A document list is not required, unless specifically requested from the SFC.
- E. FFC and SME: “Flag” specific areas of sensitive text that the SFC should consider for possible redaction (blacked out) and provide the reasoning. Do not write directly on the copy.
- F. FFC and SME: Ensure all Geographic Information System (GIS) information is viewable by the SFC and Field Solicitor’s FOIA Attorney/Advisor, as well as the requester.
- G. Any shapefiles, GIS map metadata or other formats requiring ArcMap or other programs to view, must be converted to Portable Document Format (PDF) or provide a written narrative/description of what type of information are in such files. (This conversion to PDF is required even if the requester asked for the information in a different format or in any of the above listed formats such as shapefiles.)
- H. All Excel spreadsheets must be converted into PDF.
- I. SME: Provide all responsive records even if a document will be withheld in its entirety. Final redactions and denials can only be made by the SFC in consultation with the Field Solicitor’s Office.

STEP 7: Completing the Process

- A. SME and FFC: Complete the “actual” portion of the ID 1278-2 with actual hours for the search (only) and the actual number of pages.
- B. FFC: Review the completed ID 1278-2 to ensure it makes sense and question the SME if the hours for the search or number of pages are out of the ordinary.
- C. FFC: Ensure that the “actual” version of the ID 1278-2 accompanies the responsive documents, CD(s) or DVD(s) when mailed or delivered to the SFC.
- D. FFC: Ensure documents are provided to the SFC on or before the deadline.

STEP 8: Final Response

- A. SFC staff: Scan paper copies and prepare for electronic redacting.
- B. SFC (or staff): Review all responsive documents and apply redactions (if applicable).
- C. SFC staff: Provide redacted PDF documents to Solicitor’s Office for attorney review.
- D. SFC (or staff): Prepare response letter to include the following individuals in the surnaming process: Office of the Solicitors (with exceptions); State Management Analyst; Deputy State Director for Support Services; Deputy State Director for Resource

Services; Associate State Director; and the State Director (signature). Occasionally, additional surnames will be required, depending on the subject matter.

- E. SFC staff: Send signed letter, with responsive documents (redactions applied) contained on a CD, to the requester via certified mail, with a billing invoice if applicable.
- F. SFC staff: Calculate fees for EFTS purposes, update the State FOIA Log.
- G. SFC staff: Send copy of final response letter and “office copy” CDs or DVDs to applicable FFC(s) for their case file. The FFCs can opt out of receiving copies of CDs or DVDs if they wish.
- H. SFC (or staff): Close case in EFTS and in official FOIA file.