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EMS TRANSMISSION: 7/17/2018
Instruction Memorandum No. WY-P-IM-2018-003

To: All Employees
From: Associate State Director
Subject: Procedure for Processing Freedom of Information Act (FOIA) Requests for Agency Records

Program Area: All Program Areas, FOIA

Purpose: The purpose of this Instruction Memorandum (IM) is to provide Departmental and Bureau FOIA policy and procedural guidance to BLM Wyoming (WY) employees. This IM will provide (1) an outline of employee roles and responsibilities; (2) outline FOIA processes and procedures; (3) provide BLM staff with an improved FOIA response form; (4) educate and inform BLM staff of agency disclosure information plans; and (5) the Presidential Memorandum issuing new guidelines governing the FOIA.

Applicability: All employees are subject to the policy set forth in this IM, including those who are on approved work agreements, on work detail, or are on a work contract.

Policy: In accordance with Executive Order (E.O.) 13392, it is the policy of the BLM to make records available to the public to the greatest extent possible, in keeping with the spirit of the FOIA, while at the same time protecting sensitive information. The President, through E.O. 13392, instructed all agencies to improve their FOIA operations with both efficiency and timeliness in mind. All employees (including contractors) of the BLM are required to assist in facilitating and expediting the production and dissemination of documents requested under the FOIA. While a specific FOIA request may be filed with the National, State, and/or other Field and District Offices, all employees of the BLM may be potentially called upon to produce the necessary information and documents to support a request. Responding to FOIA requests is a high priority and should be executed in a timely fashion with consideration of regulatory time-periods. In many cases, employees may need to respond directly to the public, to a follow-up

request or telephone request for information and, if called upon, should be prompt and helpful in their reply.

The BLM WY State FOIA Specialist serves as the central point of contact for all BLM WY FOIA requests. The State FOIA Specialist and/or his/her acting shall centrally manage all FOIA requests at the BLM WY State Office. The BLM WY District and Field Offices will designate a primary and alternate FOIA Coordinator for each location.

Attachment 1 is a list of Roles and Responsibilities for BLM WY employees; attachment 2 is an outline that details BLM WY's FOIA request processing procedures; attachment 3 is the FOIA Response Worksheet Form; attachment 4 is the Federal Register 2009 Presidents Memorandum on FOIA discussing accountability and transparency; and attachment 5 is the Federal Register Publication of Executive Order 13392 discussing the Presidents policy on improvement of agency disclosure of information.

Timeframe: Effective immediately.

Background: FOIA request processing is lawfully mandated by regulated time-periods and procedural requirements. Various Executive Orders, Presidential and Attorney General Memoranda, Office of Management and Budget Directives, FOIA Amendments, and Department of the Interior policies have added additional requirements for processing and reporting requests. As FOIA requests are frequently a precursor to litigation or appeal, it is extremely important that requests are properly processed and that the State FOIA Specialist and the Regional Office of the Solicitor review potentially responsive records, formal correspondence and enclosures with sensitive material.

Budget Impact: None. Responding to FOIA requests are considered part of official duties as assigned.

Manual/Handbook Sections: This IM serves as interim guidance to BLM Manual Supplement 1271, BLM Information Access Center, Wyoming Manual Supplement 1278, External Access to BLM Information, and Department of Interior FOIA Handbook 383 DM 15.

Instruction Memorandums Affected: None.

Coordination: This IM has been coordinated through the BLM WY Associate State Director, State Leadership Team, Deputy State Director for Support Services, State FOIA Specialist and the State Supervisory Cartographer

Contact: For additional information or questions, contact the BLM WY State FOIA Specialist at 307-775-6180 or BLM_WY_FOIA@blm.gov

Signed by:
Buddy W. Green
Acting Associate State Director

Authenticated by:
Jessica Camargo
State Director's Office

5 Attachments:

- 1 - Roles and Responsibilities (3 pp)
- 2 - FOIA Process (5 pp)
- 3 - FOIA Response Worksheet (1 p)
- 4 - Presidential Memorandum in FOIA (2 pp)
- 5 - Executive Order 13397 (7 pp)

Distribution

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