

Frequently Asked Questions Regarding FOIA

Inter-American Foundation

As the IAF's designated FOIA Requester Service Center, the Office of the General Counsel (OGC) strives to provide citizen-centered, results-oriented service to all FOIA requesters. Below are some frequently asked questions to guide you in understanding FOIA and the IAF's FOIA process.

What is the FOIA?

The Freedom of Information Act (FOIA), 5 U.S.C. § 552, was enacted for the purpose of allowing private citizens greater access to government information. FOIA sets standards for establishing the public's right to request existing records from Federal government agencies such as the IAF.

Who can file a FOIA request?

Any "person" can file a FOIA request. In the FOIA context, a "person" includes U.S. citizens, foreign nationals, organizations, universities, businesses, and state and local governments. Requests may also be made through an attorney or other representative on behalf of any "person."

What is a "record"?

A record is the product of data compilation, such as books, papers, maps, and photographs, machine-readable materials (including those in electronic format), or other documentary materials, regardless of physical form or characteristics, created or obtained by an agency of the U.S. government under Federal law in connection with the transaction of public business and in agency possession and control at the time the FOIA request is made. See "**Does FOIA allow access to all IAF records?**" for the nine specific FOIA exemptions that allow government agencies to withhold certain agency records.

Is the agency required to provide opinions or responses to questions?

The FOIA does not require Federal agencies to create new documents, answer questions, render opinions, or provide subjective evaluations. Requesters must ask for existing records, such as those described above. (See "**What is a "record"?**")

How do I file a FOIA request with the IAF?

To make a FOIA request or inquire about the status of a pending request, please contact the Office of the General Counsel (OGC), which is the IAF's designated FOIA Requester Service Center, at:

901 N. Stuart St., 10th Floor
Arlington, VA 22203
foia@iaf.gov
(703) 306-4301

A request should be as specific as possible with regard to names, dates, places, events, subjects, and other relevant information.

Are there documents I can access without a FOIA request?

The IAF website contains a wealth of readily available information regarding agency activities that may suit your information needs. If the data you request are already available to the public through the IAF website or other source, your request will not be processed under the FOIA. In that situation, you will be referred to the website or other source.

Does FOIA allow access to all IAF records?

No, FOIA only allows access to agency records that do not fall under any of nine specific exemptions that permit the agency to withhold certain records. These are:

1. classified national defense and foreign policy information
2. internal agency rules and practices
3. information that is prohibited from disclosure by another law
4. trade secrets and other confidential business information
5. inter-agency or intra-agency communications that are protected by legal privileges
6. information involving matters of personal privacy
7. certain information compiled for law enforcement purposes
8. information relating to the supervision of financial institutions
9. geological information on wells.

For more detailed information on FOIA exemptions, please see 5 U.S.C. §552(b). In addition, just as FOIA provides greater public access to government documents subject only to these limited exemptions, the Privacy Act (5 U.S.C. 552a) prevents certain personal and financial information from being disclosed to persons other than that subject of the information, except in limited circumstances.

What are some examples of frequently requested documents from the IAF?

To view documents commonly requested from the IAF under FOIA, please visit our FOIA e-Reading Room by clicking [here](#).

Are there fees involved in requesting documents through FOIA?

For most of the FOIA requests received by the IAF, no fees are charged. However, for large or burdensome requests, the IAF may charge a fee pursuant to the IAF's regulations at 22 C.F.R. § 1002.7. In your request, you may inform the IAF of the maximum fee you are willing to pay in connection with the processing of the request, above which the IAF will need to contact you in advance to continue with the request.

How long will I have to wait to receive the information I've requested?

The IAF processes requests in order of date of receipt and according to their complexity. Whenever possible, an initial determination to release or deny a record is made within 20 working days after receipt of the request by the FOIA Requester Service Center. If unusual circumstances exist that preclude a timely response, the office will provide an estimated completion date and reasons for the delay.

Can my request be expedited?

A requester may request expedited processing under limited conditions, such as where failure to obtain the records could pose an imminent threat to the life or physical safety of an individual, or where information is urgently needed by an individual primarily engaged in disseminating information in order to inform the public concerning actual or alleged Federal government activity.

What can I do if my FOIA request is denied?

When information is withheld, whether partially or fully, this constitutes a denial under FOIA. If your request is partially denied, you will receive a document in which the information that is exempted from disclosure has been redacted. A request may be denied for one or more of the aforementioned exemptions. (See “**Does FOIA allow access to all IAF records?**”). When a request is denied, you will be notified in writing, advised of your appeal rights, and informed of the proper procedures for submitting an appeal. If you are not satisfied with the appeal determination, you may seek judicial review.

To whom may I submit comments about the service I received?

If you have comments or concerns about the service you have received from the IAF FOIA Requester Service Center, please contact our FOIA Public Liaison, Ramon Daubon, Vice President for External Affairs, at rdaubon@iaf.gov or (703) 306-4301.

How do I get a copy of the IAF’s FOIA Report?

The FOIA Report is only available in English. For a copy of the report, please visit our FOIA e-Reading Room by clicking [here](#).

How do I obtain a copy of the IAF’s FOIA Improvement Plan?

Executive Order 13392 requires all federal agencies to review their FOIA operations. Based on that review, the agency was required to develop a FOIA improvement plan to make the processing of FOIA requests more streamlined and effective and to increase public awareness of FOIA processing. To view the IAF’s FOIA Plan, please visit our FOIA e-Reading Room by clicking [here](#).