

2012 Chief FOIA Officer Report

Name and Title of Chief FOIA Officer: Maurice Swinton, Chief Information Officer, Armed Forces Retirement Home (AFRH)

Section I: Steps Taken to Apply the Presumption of Openness

1. Did your agency hold an agency FOIA conference, or otherwise conduct training during this reporting period.

Answer: AFRH did not hold an annual FOIA conference. Training was informal and provided as needed.

2. Did your FOIA professional attend any FOIA training, such as that provided by the Department of Justice.

Answer: Personnel attended training which, in part, addressed FOIA.

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

Answer: No

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

Answer: N/A

5. Describe your agency's process to review records to determine whether discretionary releases are possible.

Answer: FOIA requests are coordinated through the Chief Information Officer and agency legal counsel. The Chief Operating Officer makes the final decision on whether to make a discretionary release.

6. Describe any other initiatives undertaken by your agency to ensure that the presumption of openness is being applied.

Answer: AFRH has a link dedicated specifically to FOIA on its web site. Memoranda emphasizing openness and a person's right to information are posted on this web link.

7. Did your agency have an increase in the number of responses where records were released in full.

Answer: N/A ... Prior to this year, AFRH FOIA reporting was coordinated through the Department of Defense (DOD). As defined in legislation, AFRH is an independent establishment in the Executive Branch of the Federal Government whose Chief Operating Officer (COO) has a reporting relationship to the Secretary of Defense regarding the overall direction, operation and management of the home. Per DOD, AFRH was directed to submit individual Annual FOIA Reports going forward. This statistical information will be available in 2013.

8. Did your agency have an increase in the number of responses where records were released in part.

Answer: N/A ... See answer to #7.

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

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

Answer: Yes, AFRH employees processing FOIA requests have sufficient IT support.

2. Is there regular interaction between FOIA professionals and the Chief FOIA Officer?

Answer: Yes, there is regular interaction between FOIA professionals and the Chief FOIA Officer.

3. Do your FOIA professionals work with your Agency's Open Government Team?

Answer: Yes, the National Business Center is our Open Government Team.

4. Describe the steps your agency has taken to assess whether adequate staffing is being devoted to FOIA administration?

Answer: The AFRH COO has coordinated with the Chief Information Officer and AFRH legal counsel to determine the correct staffing needed to support the modest amount of requests typically received by AFRH in a calendar year.

5. Describe any other steps your agency has undertaken to ensure that your FOIA system operates efficiently and effectively.

Answer: As previously stated, the AFRH COO has a reporting relationship with the Secretary of Defense regarding the overall direction, operation and management of the Home. The AFRH FOIA system has been evaluated through the DOD/IG inspection process.

Section III: Steps Taken to Increase Proactive Disclosures

1. Has your agency added new material to your website since last year?

Answer: No.

2. Provide examples of the records, datasets, videos, etc, that have been posted this past year.

Answer: N/A

3. Describe the system your agency uses to routinely identify records that are appropriate for posting.

Answer: This information would be coordinated through the AFRH Public Affairs Officer, Chief Information Officer, and the Chief Operating Officer.

4. Beyond posting new material, is your agency taking steps to make the 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, providing explanatory material, etc.?

Answer: Yes. AFRH solicits feedback from its Resident's through Town Hall Meetings and other forums dedicated to making their stay at AFRH a rewarding one.

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

Answer: N/A

Section IV: Steps Taken to Greater Utilize Technology

Electronic receipt of FOIA requests:

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

Answer: Yes. Requests can be made by email at AFRH.FOIA@afrh.gov

2. If your agency processes requests on a decentralized basis, do all components of your agency receive requests electronically?

Answer: N/A

Online tracking of FOIA requests:

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

Answer: No, a FOIA requester cannot track the status of his/her request electronically.

4. If not, is your agency taking steps to establish this capability?

Answer: AFRH is considering information technologies which allow individuals to track requests electronically.

Use of technology to facilitates processing of requests:

5. 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?

Answer: No. The current AFRH FOIA workload can be better managed through training personnel and supplementing manpower.

6. If so, describe the technological improvements being made.

Answer: N/A

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 low volume and /or simplicity of 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?

Answer: No.

b. If so, for your agency overall, For Fiscal year 2011, was the average number of days to process simple requests twenty working days or fewer?

Answer: N/A

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?

Answer: No.

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 2011 as compared to Fiscal Year 2010. 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 2010 and Fiscal Year 2011 should be used for this section.

a. If your agency had a backlog of requests at the close of Fiscal Year 2011, did that backlog decrease as compared with Fiscal year 2010?

Answer: N/A

b. If your agency had a backlog of administrative appeals in Fiscal Year 2011, did that backlog decrease as compared to Fiscal Year 2010?

Answer: N/A

c. In Fiscal Year 2011, did your agency close the ten oldest administrative appeals that were pending as of the end of Fiscal Year 2010?

Answer: N/A

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:

Answer: N/A

Request Backlog:

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

Answer: N/A

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

Answer: N/A

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

Answer: N/A

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?

Answer: N/A

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

Answer: N/A

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

Answer: N/A

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

Answer: N/A

All agencies should strive to both reduce any existing backlogs or requests and appeals and to improve their timeliness in responding to requests and appeals. Describe the steps your agency is taking to make improvements in those areas. In doing so, answer the following questions and then also include any other steps being taken to reduce backlogs and to improve timeliness.

1. Does your agency routinely set goals and monitor the progress of your FOIA caseload?

Answer: Yes.

2. Has your agency increased its FOIA staffing?

Answer: The Agency is in the process of hiring additional personal to perform FOIA duties.

3. Has your agency made IT improvements to increase timeliness?

Answer: No.

4. If your agency receives consultations from other agencies, has your agency taken steps to improve the efficiency of the handling of such consultations, such as utilizing IT to share documents, or establishing agreements with other agencies on the handling of particular information to speed up or eliminate the need for consultations?

Answer: No.

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 2011?

Answer: No.

2. If so, what is the total number of times exclusions were revoked?

Answer: N/A

Spotlight on Success

Out of all the activities undertaken by your agency since March 2011 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.

An attorney submitted a request to AFRH requesting specific information related to his case in court. While there were no records responsive to his request, the AFRH nonetheless provided information to this attorney that it thought might be helpful in his cause. This is an example of the presumption AFRH has adopted in favor of disclosure.