



# United States Department of the Interior



## BUREAU OF LAND MANAGEMENT

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In Reply Refer To:  
1203/1278 (954) P

September 26, 2013

EMS TRANSMISSION: 09/26/2013  
Instruction Memorandum No. ID-2013-042  
Expires: 09/30/2014

To: All Employees

From: Acting State Director

Subject: Employee-Submitted Freedom of Information Act (FOIA) Requests

**Program Area:** FOIA, Ethics

**Purpose:** This Instruction Memorandum (IM) provides policy and guidance to all Bureau of Land Management (BLM) Idaho employees, contractors, and volunteers (hereafter referred to as “employees”) who submit FOIA requests to the BLM-Idaho FOIA Program Office.

**Policy/Action:** Employees have the right to submit FOIA requests in the same manner as members of the public. However, as a BLM employee, you **must not** use your official BLM e-mail account to do so. The Department of the Interior (DOI) Ethics Specialist has issued guidance that states: “While the Limited Personal Use Policy allows limited personal use of the Department’s e-mail for purely personal matters, we feel that use of the Department’s e-mail for a FOIA request as a private citizen to the DOI or indeed to any Federal agency, would appear to infer that the FOIA request is being made by the Department and not the private individual. In much the same way that a DOI employee making a FOIA request should use their own private letterhead and should not include their official position or title, an employee should not use a Federal government issued e-mail account to make a request as a private individual.” Any FOIA request submitted through a BLM e-mail account will not be considered a valid FOIA request.

Regardless of how the employee-submitted FOIA request is received (hard copy or electronic), every effort will be made to protect the employee’s identity. The weekly FOIA Status Report will only reflect that “a BLM employee” has requested information. The affected office will not be listed to further protect the employee’s anonymity/privacy. The request will be shared with only those individuals who have a direct need to know. If the FOIA request is submitted through the employee’s Government e-mail account, we will respond back to the employee that his/her FOIA request is invalid and attach a copy of this IM.

**Timeframe:** This policy continues to be in effect and supersedes IM No. ID-2012-042.

**Background:** On several occasions, the BLM-Idaho FOIA Program Office has received requests submitted by BLM employees through their Federal government-issued e-mail accounts. These employees simply had not been informed of the DOI guidance prohibiting the use of Government e-mail account when submitting FOIA requests. This IM also serves to remind supervisors and managers that employees have a right to submit FOIA requests to their own agency.

**Manual/Handbook Sections Affected:** This IM serves as interim guidance to Idaho BLM Manual Supplement 1278, External Access to BLM Information, until it is updated.

**Coordination:** This IM was coordinated through the Human Resources Office.

**Contact:** For additional information, please contact Gloria Van Noy, State FOIA Coordinator, at (208) 373-3947 or Yadyra Esparza, State FOIA Specialist, at (208) 373-3931.

**Boise District with Union:** Management is reminded to notify and satisfy any bargaining requirements prior to implementation.

Signed by:  
Gary Hunter for  
Timothy M. Murphy

Authenticated by:  
Peggy Ann Hallman  
Administrative Specialist