

Idaho Freedom of Information Act (FOIA) Processing Checklist

State FOIA Coordinator or State FOIA Specialist (SFC)

Field FOIA Coordinator (FO)

Subject Matter Expert (SME)

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

STEP 1: Receiving a FOIA Request

- A. FO: Date stamp request letter on day received and submit to SFC.
- B. FO: Scan/e-mail a copy of the request letter to the SFC at gvannoy@blm.gov or yesparza@blm.gov (or fax to 208-373-3904) 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.
- 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 FOs and/or State Office SMEs (when applicable), as well as the FOIA Attorney.
- E. FO: 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 three business days of receipt.
- B. FO: 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 broad, other quantifying factors).
- D. FO: Notify SFC same day (or next business day) when SME requires additional clarification.
 1. SFC, FO, 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 seeking clarification was sent to the requester.
 3. SME and FO: Do not provide ID 1278-2, search for, or copy any records if there are clarification issues. Wait until issues are resolved.
 4. The SFC (or staff) will provide the FO (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 FO 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. Before expedited processing is denied, ensure Solicitor review and concurrence is

obtained. 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. FO 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. FO 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 and collect responsive records and the number of estimated pages. Do not include the time it will take to photocopy/scan responsive documents. Ensure estimate is reasonable (not over or under estimated).
- B. FO: 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. If the numbers submitted seem unusual, double check with SME prior to submission. ID 1278-2 forms need to be as accurate as possible.
- C. FO: If multiple SMEs/FOs are involved, combine names/pay grades/search hours and the number and size(s) of pages (types of media), etc. onto one form (ID 1278-2) per office (site). If FO 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 additional time is required. Determine which track the FOIA request will be placed. Perform cursory fee calculations to determine if there will be fee issues that need to be addressed.
- E. SFC: Work with FO(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. The letter can be e-mailed to the requester to expedite the process.
- 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 FO via e-mail to begin pulling and copying responsive records. Provide a date to the FO as to when the documents are due in the State Office.
- I. FO: If the SO does not notify you to begin collecting records in a timely manner (within 3 days of submitting the 1278-2 form or resolving fee/clarification issues), contact SFC.
- J. FO and SME: Proceed to Step 5 when notified to begin search.

STEP 5: Collecting Responsive Records

- A. SFC (or staff): Notify FO in writing (via e-mail) to begin collecting documents when all issues (fee, clarification, etc.) are resolved.
- B. FO: Advise SME(s) to begin their search when direction is received from the SFC staff.

- C. FO: Remind the SME(s) and their staff to review “Search Tips” and “What is a responsive record?” (visit Idaho FOIA SharePoint page) and to search all sources within the location/office likely to contain responsive records.
- D. FO: 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. FO and SME: If responsive records are located, proceed to Step 6.

STEP 6: Preparing Responsive Records

- A. FO: Remind SME(s) to photocopy single-side only and not to count their copying/scanning 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. However, do not scan double-sided when the responsive records are one-sided only. This creates blank pages that must be deleted before providing to the requester. Cleaning up this type of scanning is extremely time consuming.
- B. FO and/or SME: Make one photocopy of all responsive records or scan (preferred) and provide one copy of the compact disc (CD) or digital versatile disc (DVD).
- C. FO and/or SME: Ensure colored photographs are reproduced in color.
- D. A document list is not required, unless specifically requested by the SFC.
- E. FO and SME: “Flag” whenever possible specific areas of sensitive text that the SFC should consider for possible redaction (blacked out) and the reasoning. Do not write directly on the copy.
- F. 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 FO: Complete the “actual” portion of the ID 1278-2 with actual hours for the search/collection (only) and the actual number of pages.
- B. FO: 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. FO: 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. FO: 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 or convert electronic files to Adobe Portable Document Format (PDF) and organize/rename files.
- B. SFC: Review all responsive documents and apply redactions (if applicable).
- C. SFC staff: Provide redacted PDF documents (when applicable) 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); 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/DVD, 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 FO(s) for their case file. FOs can opt out from receiving copies of CDs or DVDs if they wish.
- H. SFC (or staff): Close case in EFTS and in official FOIA file.