



**SPECIAL INSPECTOR GENERAL FOR  
AFGHANISTAN RECONSTRUCTION  
CHIEF FOIA OFFICER REPORT  
FISCAL YEAR 2010**

## **I. Steps Taken to Apply the Presumption of Openness**

**The guiding principle underlying the President's FOIA Memorandum and the Attorney General's FOIA Guidelines is the presumption of openness.**

- 1. Describe the steps your agency has taken to ensure that the presumption of openness is being applied to all decisions involving the FOIA. To do so, you should answer the questions listed below and then include any additional information you would like to describe how your agency is working to apply the presumption of openness.**
  - a. Describe how the President's FOIA Memorandum and the Attorney General's FOIA Guidelines have been publicized throughout your agency.**
  - b. What training has been attended and/or conducted on the new FOIA Guidelines?**
  - c. How has your agency created or modified your internal guidance to reflect the presumption of openness?**
  - d. To what extent has your agency made discretionary releases of otherwise exempt information?**
  - e. What exemptions would have covered the information that was released as a matter of discretion?**
  - f. How does your agency review records to determine whether discretionary releases are possible?**
  - g. Describe any other initiatives undertaken by your agency to ensure that the presumption of openness is being applied.**

This is the first Chief FOIA Officer report for the Office of the Special Inspector General for Afghanistan Reconstruction (SIGAR). In 2010 senior leadership within SIGAR recognized the need for a centralized unit to guide the agency's components in their mission to achieve transparency, ensure disclosure, and the presumption of openness. Accordingly, SIGAR established the Office of Privacy, Records, and Disclosure (PRD). This component's mission is to ensure compliance with federal privacy requirements, records management under the Federal Records Act of 1950, the Freedom of Information Act (FOIA), the President's FOIA Memorandum, and the Attorney General's FOIA Guidance.

In the final two months of the year, PRD drafted new Privacy, Records Management and FOIA policies in an effort to "promote the public trust through the release of the maximum amount of information available to the public on the operations and activities of SIGAR." PRD also revamped its public-facing webpage for FOIA on the SIGAR website ([www.sigar.mil](http://www.sigar.mil)). The website now has an electronic reading room holding quarterly reports, audits, project assessments, and other publications developed by SIGAR. SIGAR posts the maximum amount of information on its operations and activities, consistent with our responsibility to protect sensitive information.

During the fiscal year SIGAR received three FOIA requests and one consultation from Department of Defense Office of Inspector General for a total of four requests. SIGAR did not respond to FOIA requests until after the fiscal year ended. However, the FOIA review process in next fiscal year will encourage discretionary releases to the maximum extent possible.

PRD developed three training decks for SIGAR employees: Records Management training, FOIA training, and Privacy training. DC staff received records management and FOIA training, and will receive privacy training in FY 2011. In FY 2011 SIGAR will send a PRD employee to Afghanistan to train forward staff. During these trainings, President Obama's FOIA Memorandum of Jan. 21, 2009 and Attorney General Holder's Guidelines are explained and employees are given links to the documents for further review.

**2. Report the extent to which the numbers of requests where records have been released in full and the numbers of requests where records have been released in part has changed from those numbers as reported in your previous year's Annual FOIA Report.**

SIGAR is a temporary agency established by Congress in 2008. SIGAR filed its first FOIA Annual Report after FY 2010. During FY 2010 SIGAR received four FOIA requests but did not respond to these requests until after the fiscal year closed, when the agency established the Office of Privacy, Records, and Disclosure.

<u><i>Fiscal Year</i></u>	<u><i>Release in Full</i></u>	<u><i>Difference</i></u>	<u><i>Released in Part</i></u>	<u><i>Difference</i></u>
2010	0	0	0	0

## **II. Steps Taken to Ensure that Your Agency has an Effective System In Place for Responding to Requests**

**As the Attorney General emphasized in his FOIA Guidelines, "application of the proper disclosure standard is only one part of ensuring transparency. Open Government requires not just a presumption of disclosure, but also an effective system for responding to FOIA requests."**

**Describe here the steps your agency has taken to ensure that your system for responding to requests is effective and efficient. This section should include a discussion of how your agency has addressed the key roles played by the broad spectrum of agency personnel who work with FOIA professionals in responding to requests, including, in particular, steps taken to ensure that FOIA professionals have sufficient IT support. To do so, answer the questions below and then include any additional information that you would like to describe how your agency ensures that your FOIA system is efficient and effective.**

- a. Do FOIA professionals within your agency have sufficient IT support?**
- b. Describe how your agency's FOIA professionals interact with your Open Government Team.**
- c. Describe the steps your agency has taken to assess whether adequate staffing is being devoted to responding to FOIA requests.**
- d. Describe any other steps your agency has undertaken to ensure that your FOIA system operates efficiently and effectively.**

SIGAR is a small independent agency, which operates in two countries, and stores information on different agencies' servers (Departments of Defense and State). In November 2010, SIGAR established a Freedom of Information Act (FOIA) Program, which set forth a streamlined approach for responding to FOIA requests and processing appeals through a single point of contact: the FOIA Officer. The FOIA Officer is responsible for recording, assigning, and tracking all FOIA requests from receipt through final agency action.

PRD works closely with the information technology staff to obtain information responsive to requests which are contained in various databases and servers. PRD is part of, and works closely with, the agency's Open Government team. In addition, SIGAR is using redaction software to redact documents for release.

PRD employees meet face-to-face, in most circumstances, with offices that have responsive records to discuss the impact of our release recommendations prior to actual release to the requestor. The Director of PRD reviews all responses and responsive documents before release. Since SIGAR is small agency, the FOIA Officer can easily follow up on all requests and appeals. A customized FOIA Tracking System is housed on a shared drive accessible to all SIGAR components to facilitate tracking and timeliness of responses. SIGAR also developed an on-line request form for FOIA requests in CY 2010, and anticipates it going live on the website in FY 2011.

### **III. Steps Taken To Increase Proactive Disclosures**

**Both the President and Attorney General focused on the need for agencies to work proactively to post information online without waiting for individual requests to be received. Describe here the steps your agency has taken to increase the amount of material that is available on your agency website, including providing examples of proactive disclosures that have been made since issuance of the new FOIA Guidelines. In doing so, answer the questions listed below and describe any additional steps taken by your agency to make proactive disclosures of information.**

- a. Has your agency added new material to your agency website since last year?**
- b. What types of records have been posted?**
- c. Give examples of the types of records your agency now posts that used to be available only by making a FOIA request for them.**
- d. What system do you have in place to routinely identify records that are appropriate for posting?**
- e. How do you utilize social media in disseminating information?**
- f. Describe any other steps taken to increase proactive disclosures at your agency.**

Over the past year SIGAR has redesigned the website, making the site “user friendly” and adding more information for the public. The redesign included a drop down menu for navigation, a News Room section, new FOIA page content, “translations” of the quarterly report, “multi-media,” “image gallery,” “related news” pages, and a Hotline Submission Complaint form.

The agency’s mission is to provide independent oversight of the treatment, handling, and expenditure of funds appropriated or otherwise made available for the reconstruction of Afghanistan; to detect and deter fraud, waste, and abuse of U.S. funds; and to promote actions to increase program economy, efficiency, and effectiveness. SIGAR accomplishes this mission by conducting audits and investigations of reconstruction programs. The majority of the information and records created from the agency are reports.

SIGAR posts its quarterly report to Congress on its website, within thirty days of the end of each fiscal quarter. The report details SIGAR’s activities in Afghanistan, and is published on the website in English, Dari, and Pashtu. These reports are available for download in high resolution PDF format, broken out by section. In addition to the Congressional report, SIGAR also posts completed Investigation, Budget, and Audit (sixteen in 2010) reports on the website. Over 100 images from SIGAR’s activities in Washington, D.C. and Afghanistan were also added to the site this past year.

SIGAR’s FOIA program is new, and the agency has received only four FOIA requests. However, FOIA personnel review released documents and determine if those documents are likely to become the subject of subsequent requests, as required by 5 U.S.C. § 552(a)(2)(D), if the documents fit this description SIGAR will post them on the website in the Electronic Reading Room. Finally, SIGAR is also developing a strategy for using social media as a way to disseminate information to the public.

#### **IV. Steps Taken To Greater Utilize Technology**

**A key component of the President's FOIA Memorandum was the direction to "use modern technology to inform citizens about what is known and done by their Government." In addition to using the internet to make proactive disclosures, agencies should also be exploring ways to utilize technology in responding to requests. In 2010 agencies reported widespread use of technology in handling FOIA requests. For this section of your Chief FOIA Officer Report for 2011, please answer the following more targeted questions:**

**1. Electronic receipt of FOIA requests:**

- a. What proportion of the components within your agency which receive FOIA requests have the capability to receive such requests electronically?**

SIGAR is a small independent agency. All FOIA requests are handled through the Office of Privacy, Records, and Disclosure.

**To what extent have you increased the number of components doing so since the filing of your last Chief FOIA Officer Report?**

This is the first Chief FOIA Officer Report for SIGAR.

- b. What methods does your agency use to receive requests electronically?**

SIGAR accepts FOIA requests by email, fax, and mail. The agency is developing an electronic request form for the website, which will go live in 2011.

**2. Electronic tracking of FOIA requests:**

- a. What proportion of components within your agency which receive FOIA requests have the capability to track such requests electronically?**

The Office of Privacy, Records, and Disclosure electronically tracks FOIA requests for the entire agency.

- b. To what extent have you increased the number of components doing so since the filing of your last Chief FOIA Officer Report?**

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- c. What methods does your agency use to track requests electronically?**

Due to the current low volume of requests, SIGAR tracks FOIA requests using a commercial spreadsheet program.

**3. Electronic processing of FOIA requests:**

- a. What proportion of components within your agency which receive FOIA requests have the capability to process such requests electronically?**

The Office of Privacy, Records, and Disclosure handles all processing of FOIA requests, and does so electronically.

- b. To what extent have you increased the number of components doing so since the filing of your last Chief FOIA Officer Report?**

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- c. What methods does your agency use to process requests electronically?**

SIGAR uses commercial redaction software to perform searches and redactions on documents responsive to FOIA requests.

**4. Electronic preparation of your Annual FOIA Report:**

- a. What type of technology does your agency use to prepare your agency Annual FOIA Report, i.e., specify whether the technology is FOIA-specific or a generic data-processing system.**

FY 2010 was the first time SIGAR submitted an Annual FOIA Report to the Department of Justice. SIGAR used the commercial spreadsheet software form that DOJ's Office of Information Policy provided to the agency to prepare the report.

- b. If you are not satisfied with your existing system to prepare your Annual FOIA Report, describe the steps you have taken to increase your use of technology for next year.**

SIGAR is currently attending informational meeting with other agencies and agency Offices of Inspector General to discuss FOIA systems that those agencies use. However, since the volume of requests is low, tracking requests and preparing reports using commercial spreadsheet software more than adequately meets the agency's needs.

## **V. Steps Taken to Reduce Backlogs and Improve Timeliness in Responding to Requests**

Improvements to timeliness in responding to pending FOIA requests and reductions in backlogs are both ongoing agency efforts. The President and the Attorney General have emphasized the importance of improving timeliness in responding to requests. Section XII of your Annual FOIA Report includes figures that show your agency's backlog of pending requests and administrative appeals for the past two fiscal years. You should refer to those numbers when completing this section of your Chief FOIA Officer Report. In this section you should address the following elements.

**1. If your agency has a backlog, report here whether that backlog is decreasing. That reduction should be measured in two ways. First, report whether the number of backlogged requests and backlogged administrative appeals that remain pending at the end of the fiscal year decreased or increased, and by how many, when compared with last fiscal year. Second, report whether your agency closed in Fiscal Year 2010 the ten oldest of those pending requests and appeals from Fiscal Year 2009, and if not, report how many of them your agency did close.**

This was the first year SIGAR filed an Annual Report. SIGAR received four requests in Fiscal Year 2010, all four were unanswered at the end of the fiscal year. The Office of Privacy, Records, and Disclosure stood up in November 2010, and by the end of the calendar year it has addressed the four request backlog.

**2. If there has not been a reduction in the backlog as measured by either of these metrics, describe why that has occurred. In doing so, answer the following questions and then include any other additional explanation:**

N/A.

**3. Describe the steps your agency is taking to reduce any backlogs and to improve timeliness in responding to requests and administrative appeals. In doing so answer the following questions and then also include any other steps being taken to improve timeliness.**

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

Yes, SIGAR's goal is to meet the twenty-day response timeframe for all new FOIA requests.

**b. Has your agency increased its FOIA staffing?**

Yes. At the end of FY 2010, SIGAR hired two Federal employees to work in Privacy, Records, and Disclosure, and assigned one contractor to assist the program.

**c. Has your agency made IT improvements to increase timeliness?**

IT has consistently provided sufficient and timely support, installing commercial redaction software on the FOIA team's computers and providing the team with a high-speed scanner.

**d. Has your agency Chief FOIA Officer been involved in overseeing your agency's capacity to process requests?**

Yes.

**Spotlight on Success**

**Out of all the activities undertaken by your agency in this last year to increase transparency, describe here one success story that you would like to highlight as emblematic of your efforts.**

SIGAR has combined the privacy, records management, and disclosure functions into one office. The agency recognized the synergies that are achieved by merging these overlapping functions. As a result, the agency achieves greater efficiency and the public enjoys greater transparency into the operations of this very important independent agency.