

Freedom of Information Act Overview

Catherine M. Papoi, J.D., CIPP/G
Deputy Chief FOIA Officer
Director, Disclosure & FOIA
Privacy Office



Homeland
Security

FOIA Overview

✦ History

- Enacted in 1966; amended several times since, including the 1996 “Electronic Amendments”.
- Statutory right of access to federal agency records.
- To ensure informed citizenry/prevent secret law – Government openness and accountability.
- Records must be disclosed unless exempt/excluded by the statute.
- Key Agency for FOIA guidance – Department of Justice.

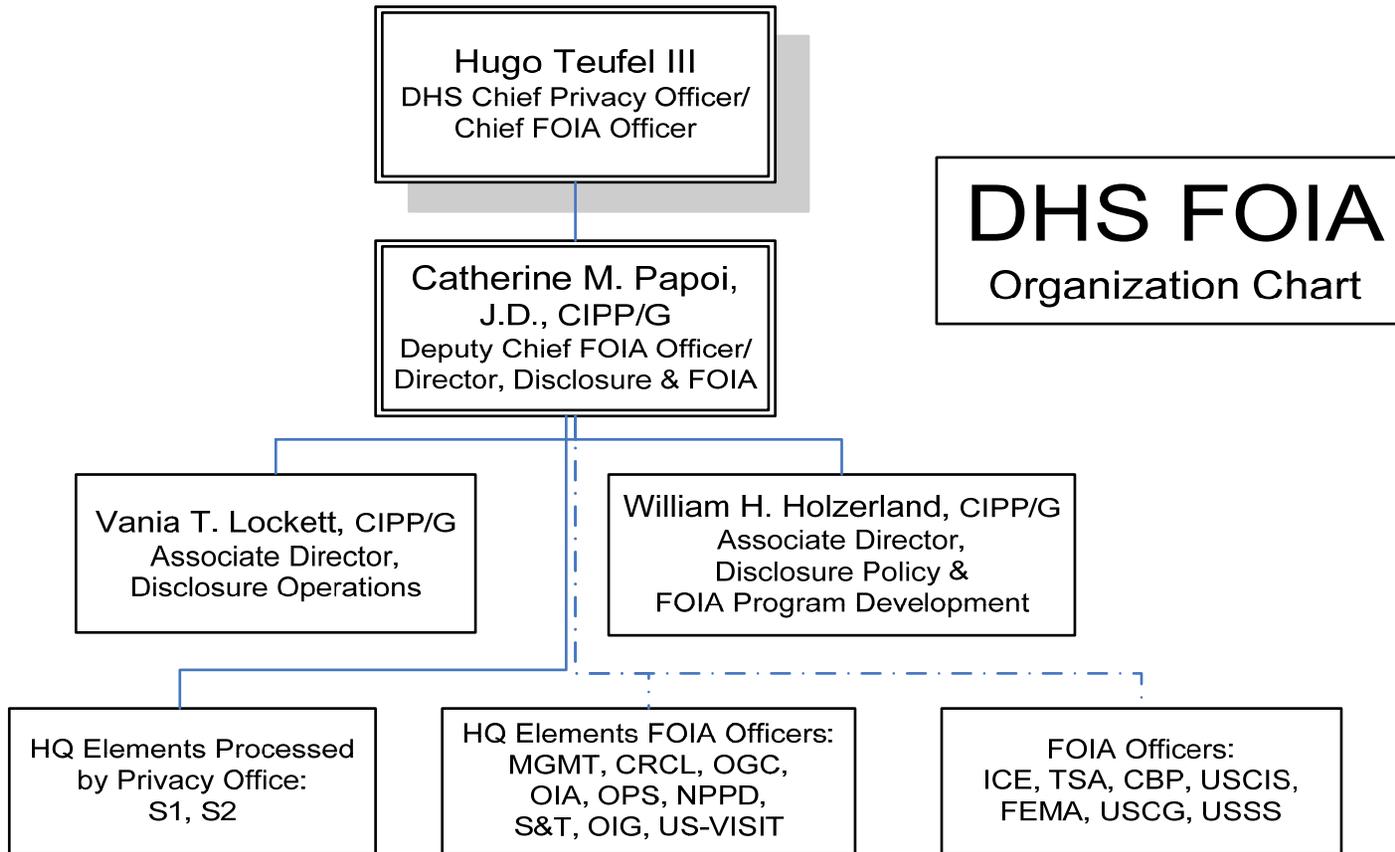


FOIA Overview

- ✦ "This legislation springs from one of our most essential principles: a democracy works best when the people have all the information that the security of the nation permits. No one should be able to pull curtains of secrecy around decisions which can be revealed without injury to the public interest."
-LBJ, on signing of FOIA, 1966



DHS FOIA Organization



Lifecycle of a FOIA

- ✦ Request received by component's FOIA officer
 - Determine fee category
 - Resolve scope issues through communication with requestor
- ✦ Acknowledgement letter
 - Was expedition or fee waiver requested?
- ✦ Search for records
- ✦ Analysis of responsive records
 - Are consultations/referrals required?
- ✦ Letter to requestor itemizing ALL responsive records
- ✦ Appeal/Litigation



Your FOIA Responsibilities

- ✦ You will receive search requests from your component's FOIA officer.
- ✦ Unless your job specifically entails FOIA processing responsibility, the limit of your involvement in FOIA is searching for responsive records & providing general withholding/release recommendations.



Your FOIA Responsibilities Cont'd

- The FOIA Officer considers your withholding/release recommendations in light of the statute, identifies any applicable exemption(s) and makes the final release determination. They may consult with you prior to final release.
- It is imperative you provide input to your FOIA Officer by the stated deadline as the statute mandates a response to the requester within 20 business days.



Search & Review Tips

- ✦ Developing a strong administrative record is key
 - Where did you locate responsive records?
 - When did you begin your search?
 - Once you’ve “cast your net” for records, you need not go back to capture recent records after you complete your initial search. It benefits everyone to initiate and complete your search as quickly as possible.
 - Is there information you believe should be withheld? Why?
 - Who conducted the search and review? What is their pay grade?
 - How much time was spent on search and review?



Search Tips Cont'd

- ✦ Think about the following places when conducting a search:
 - Files, desks, boxes, safes, computers (including email), discs and other storage media
- ✦ Think about the following types of documents when conducting a search:
 - Calendars (including Outlook), telephone message slips, hand-written notes, draft and final documents (hard copy and e-version), audio/videotapes, photos, transmittal/routing slips, fax cover sheets, e-mail, correspondence files, subject matter files



FOIA Exemptions

1. Classified Information
2. Internal Personnel Rules and Agency Practices
3. Statutory Exemptions
4. Trade Secret or Commercial Information
5. Common Law Privileges
6. General Privacy
7. Government Investigations
8. Financial Institutions
9. Geological and Geophysical Information



FOIA Exemption Application

- ✦ The FOIA does not allow an agency to withhold information from a requestor simply because the disclosure of the requested record would be embarrassing to the agency.
- ✦ Please keep this in mind when creating records.



FOIA Exclusions

1. Pending criminal investigation when subject is unaware;
2. Informant records in certain circumstances;
3. FBI foreign intelligence or counterterrorism records.



FOIA Exclusions

- ✦ What is an exclusion?
 - When a request is for records subject to an exclusion, the agency may treat those records as not being subject to the FOIA. This is different from “Glomarization” where the agency neither admits nor denies that it has responsive records. The correct response to a request for records that are covered by an exclusion is that no records responsive to the request exist.



Federal Records Act (FRA) v FOIA

- ✦ Both laws address Federal records management
- ✦ FRA speaks to Federal records retention and destruction
- ✦ FOIA speaks to Federal records access
- ✦ Cannot destroy a record once it has become subject of a FOIA request or litigation, even if destruction permitted by FRA
- ✦ FRA Key Agency – National Archives and Records Administration
- ✦ FRA questions: Kathy Schultz, DHS Senior Records Officer, 202-447-5075



FOIA Records Retention

- ✦ General Records Schedule 14
- ✦ Destroy files two years after final response if records were released in entirety
- ✦ Destroy files seven years after final response if any withholdings (full or partial) or subject of an appeal. Although NARA authorizes destruction after six years, the statute of limitations on a FOIA claim is seven years. Therefore, we should retain any appeal/denial files for seven years after the last communication with the requester.



Privacy Act v FOIA

- ✦ **FOIA/PA Interface -1st Party Access**
- ✦ Requests by an individual for access to his/her record should be processed under both FOIA and the Privacy Act
 - Does PA exemption apply?
 - If no, release the record.
 - if exemption applies, make FOIA analysis and release if required by FOIA.
 - Requester gets the benefit of the statute with the more liberal release requirement!



Questions? Concerns?

Please do not hesitate to contact us if we can be of assistance on any disclosure matter:

Privacy Office FOIA Number: (703) 235-0790
FOIA@dhs.gov

Catherine M. Papoi, J.D.
Deputy Chief FOIA Officer
Director, Disclosure & FOIA

Vania T. Lockett
Associate Director, Disclosure & FOIA Operations

William H. Holzerland
Associate Director, Disclosure Policy & FOIA Program Development



Homeland
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Papoi, Catherine

From: Hawkins, Sandra L.
Sent: Thursday, February 16, 2006 6:09 PM
To: Foresman, George; Hale, Janet; McQueary, Charles; Baker, Stewart; Myers, Julie L; Hawley, Kip; Williams, Jim; Broderick, Matthew; Patrick, Connie; Gonzalez, Emilio T; Paulison, Robert DAVID; Collins, Thomas ADM; Spero, Deborah J; Perry, Phil; Skinner, Richard; Wood, John (COS); [b2]
Cc: Boudreaux, Chad; Mayer, Matt; Birkeland, Blair; Rosenzweig, Paul; Sciara, Nicolle; Tambone, Victor; Chase, John; Lang, Gary J; Titus, Jane; Paar, Tom; Allen, Thad; Clark, Chris J; Rieksts, Derek; Miller, Tamara; Cooney, Maureen
Subject: Executive Order 13392, Improving Agency Disclosure of Information
Importance: High
Attachments: Chief FOIA Officer Executive Order Memo.pdf

Attached is a memorandum from Maureen Cooney, Acting Chief Privacy Officer and Chief FOIA Officer, on Executive Order (EO) Number 13392 issued this past December by President Bush requiring Executive Branch departments to reform their Freedom of Information Act (FOIA) programs.

The attach memorandum outlines actions that need your support for the Department to comply with the requirements of the EO.

If you have any questions, please do not hesitate to contact the Privacy Office at (571) 227-3813.

Thank you.

Sandra L. Hawkins
Administrative Officer
U.S. Department of Homeland Security
Privacy Office
Washington, DC 20528
Telephone: 571-227-3813
Fax: 571-227-4171
E-mail: [b2 (10/1)]
www.dhs.gov/privacy



Homeland Security

February 15, 2006

MEMORANDUM FOR: DHS Directorate, Component, and Office Leadership

FROM: Maureen Cooney *Maureen Cooney*
Acting Chief Privacy Officer and
Chief Freedom of Information Act Officer

SUBJECT: Executive Order 13392, Improving Agency Disclosure of
Information

This past December, President George W. Bush issued an Executive Order requiring Executive Branch departments to reform their Freedom of Information Act (FOIA) programs in order to be more "citizen-centered." As a first requirement, the President ordered each department to appoint a Chief Freedom of Information Act Officer to have "agency-wide responsibility for efficient and appropriate compliance with the FOIA." As the appointed official for the Department of Homeland Security, I am writing to solicit your help in complying with the remaining requirements of the Executive Order.

The Executive Order contains several "deliverables." Departments must:

- Establish one or more FOIA Requester Service Centers (RSC) to "serve as the first place that a FOIA requester can contact to seek information concerning the status of the person's FOIA request." To support the RSC, the Chief FOIA Officer can designate FOIA Public Liaisons to whom a FOIA requester can raise concerns about service on FOIA requests.
- Conduct a review and develop a report on the department's FOIA operations, including the use of information technology, practices with respect to requests for expedited processing, implementation of multi-track processing, and availability of public information through websites and other means. The report should also identify ways to eliminate or reduce the FOIA backlog.
- Develop a FOIA Improvement Plan that includes specific activities to eliminate or reduce the FOIA backlog, including changes to streamline FOIA processing and activities to increase public awareness. The FOIA Improvement Plan should have concrete milestones, specific timetables, achievable outcomes, and metrics to measure success.

The Chief FOIA Officer for each department must submit a report by **April 14, 2006**, that addresses these deliverables.

DHS is fortunate to have an experienced cadre of FOIA professionals to carry out the important and necessary work of achieving transparency through FOIA. Today I met with our senior FOIA officers to apprise them of the requirements of the Executive Order and to enlist their assistance. Our discussions demonstrated that DHS already has in place many mechanisms that will allow me to complete the required report on the items described above. All the components represented at our meeting indicated that they have in place a dedicated individual (one or more) who is available by telephone to respond to status inquiries. Much of the information required for the FOIA review is available through the annual FOIA report that each component has completed pursuant to FOIA's statutory requirements (5 U.S.C. § 552(e)(1)). And because we have had several years of FOIA experience -- and our legacy component agencies have had many -- it should be relatively easy to develop a FOIA Improvement Plan.

I intend to ensure that the DHS FOIA webpage contains a link for a FOIA RSC with telephone numbers and names of individuals in each component, directorate or office who can be contacted for status inquiries. I will therefore appreciate your assistance in forwarding the appropriate names and telephone numbers to **(b)(2)** no later than **March 17, 2006**. I also encourage each of you to revise your own FOIA webpage to include the FOIA Public Liaison's name and telephone number so that requesters can have this information available if they visit your websites. This is an important step for improving FOIA operations, one that will make our programs more "citizen-centric," as required by the Executive Order.

I also have begun to prepare a comprehensive report analyzing current FOIA operations at DHS and offering a FOIA Improvement Plan, as required by the Executive Order. My report will, of necessity, be based on the submission of component reports. To provide adequate time for departmental review, I am asking each of you to work with your FOIA Officer to review your current FOIA operations and to prepare a report describing them and suggesting a FOIA Improvement Plan. Much of the FOIA review of operations work has been completed as a result of the FOIA annual reporting requirements. Similarly, much of the FOIA Improvement Plan content can be derived from the FOIA annual report and from your own experience with the FOIA. While I intend to provide a template for this report in the very near future, I wanted to alert you to this reporting requirement as I will need your submissions **no later than March 17, 2006**.

We can be proud of the important work that we have accomplished in the few years of DHS's existence, and I am confident that we will be able to present to the Secretary and then to the Attorney General and the Office of Management and Budget, as required by the Executive Order, a comprehensive report explaining the FOIA Program at DHS and ways that it can be improved. I look forward to working with all of you on this important matter.

*To reiterate, I will need by **March 17, 2006**, the names and telephone numbers of your FOIA Public Liaisons, and I encourage you to make this information available on your website. By the same date, I will also require a report from you about current FOIA operations and proposals for improvement. I, in turn, will ensure that your Public Liaisons are noted in our FOIA Service Center, which will appear on the DHS FOIA website and will prepare a comprehensive report for the Secretary's approval and transmission to the Attorney General and OMB.*

If you have questions or comments please feel free to call me at (571) 227-3813. Our Director of Departmental Disclosure and FOIA, Tony Kendrick, and his Deputy Director, Catherine Papoi, who can be reached at the same telephone number, can also provide additional information to you and your FOIA staff regarding the requirements of the Executive Order.

Thank you for your help.

Attachment

Distribution List:

George Foresman, Under Secretary for Preparedness
Janet Hale, Under Secretary for Management
Charles McQueary, Under Secretary for Science and Technology
Stewart Baker, Assistant Secretary for Policy
Julie L. Myers, Assistant Secretary for Immigration and Customs Enforcement
Kip Hawley, Assistant Secretary for Transportation Security
James Williams, Director, US-VISIT
Matthew Broderick, Director, Operations Coordination
Connie L. Patrick, Director, Federal Law Enforcement Training Center
Ralph Basham, Director of the Secret Service
Emilio Gonzalez, Director, Citizenship and Immigration Services
David Paulison, Acting FEMA Director
Admiral Tom Collins, Commandant of the U.S. Coast Guard
Deborah Spero, Acting Commissioner, Customs and Border Protection
Phil Perry, General Counsel
Richard Skinner, Inspector General
John Wood, Chief of Staff, Office of the Secretary

cc:

Chad Boudreaux, Deputy Chief of Staff, Office of the Secretary
Matt Mayer, Counsel to the Deputy Secretary
Blair Birkeland, Chief of Staff, Management Directorate
Paul Rosenzweig, Counselor to the Assistant Secretary for Policy
Nicolle Sciara-Rippeon, Chief of Staff, Policy Directorate
Victor Tambone, Chief of Staff, Science & Technology Directorate
John Chase, Chief of Staff, Preparedness Directorate
Gary Lang, Chief of Staff, Immigration and Customs Enforcement
Jane Titus, Chief of Staff, Federal Law Enforcement Training Center
Tom Paar, Chief of Staff, Citizenship and Immigration Services
Ihad Allen, Chief of Staff, U.S. Coast Guard
Chris Clark, Chief of Staff, Customs and Border Protection
Derek Rieksts, Chief of Staff, Operations Coordination
Tamara Miller, Special Counselor, Transportation Security Administration

Papoi, Catherine

From: Hawkins, Sandra L.

Sent: Monday, February 13, 2006 11:05 AM

To: McNeely, James; Eller, Robyn; Winslow, Janett; Herrenbruck, Mark D; Kriley, Meegan; Boshears, Kevin; Kaplan, Randall; [b2] Pavlik, Katrina; Kim, Rena; Lyerly, Kathy; Taylor, Donald R; Reback, Richard; Mitrano, Catherine; Ortiz, Magda S; Boylan, Scott; [b2] Newhouse, Victoria; [b2] Hudson, Reginald; Pietra, Peter; Carter, Mildred; Bodolay, Stephen; Gaffin, Elizabeth S; [b2] Mathias, Susan M; McNeely, James; Mesterhazy, Paul <CTR>; Tynes, Verna A; Moss, Robin N; Groome, Kyle; [b2] Huff, Latita; Crisman, Virginia <CTR>; Fields, Marshall H; Dean, Lisa S; Purdy, Andy; Elkins, John E; mailto: [b2] Dooley, William; Plofker, Howard; [b2] Forero, Paula; [b2] Carroll, Jason E; [b2] Suzuki, Shari; Howard, Joseph E; Privacy Office; West, David; Turner, Pam; Wall, Kenneth; Fisher, Alan; James, Ron; Edmon, Melissa; Yonkers, Steve; [b2]

Cc: Privacy Office

Subject: Privacy Monthly Meeting

Importance: High

Attachments: EO13392.pdf

February's Privacy Office Monthly Meeting will be held Wednesday, February 15, 2006, in [b2] at the TSA Headquarters, 601 S. 12th Street, Arlington, VA. The meeting will be for **FOIA Officers only**. The agenda item to be discussed is the Chief FOIA Officer Executive Order, a copy which is attached.

If you have any questions, please do not hesitate to contact the Privacy Office at (571) 227-3813.

Thank you.

Sandra L. Hawkins
 Administrative Officer
 U.S. Department of Homeland Security
 Privacy Office
 Washington, DC 20528
 Telephone: 571-227-3813
 Fax: 571-227-4171
 E-mail: [b2]
www.dhs.gov/privacy

Papoi, Catherine

From: Holzerland, William
Sent: Monday, September 10, 2007 4:53 PM
To: CRCL Counsel; Dorgan, Mark; Gramian, Nikki; Hawkins, Donald K; Huff, Latita; Marshall, Gloria L; Pavlik-Keenan, Catrina M; Russell, Michael; Snowden, Deborah TSA-FOIA; Suzuki, Shari; Taylor, Donald; Turner, Alisa; Welsh, Brian J; Young, Sophia G; Zimmerman-Pate, Marty; Janet, Kevin TSA FOIA; Vilders, Gregory R; Miller, Patricia; Lee, Charmaine; Wiley, Miles; Hudson, Reginald; Coates, Yvonne; Gallo, Katherine; Harris, Talya I
Cc: Papoi, Catherine; Lockett, Vania
Subject: ***DOJ E.O. 13,392 Reporting Requirement***Due COB 9/21/07
Attachments: Backlog Reduction Goals Table.9.10.07.doc

Good evening all,

On June 1, 2007, the U.S. Attorney General, in consultation with OMB, issued his second report to the President pursuant to E.O. 13,392. In accordance with Sec. 4(a) of the Executive Order, the AG's report includes recommendations for improving agency FOIA administration. One of those recommendations requires each agency that has a request or appeal pending beyond the statutory time period (i.e., a backlog) at the end of FY 2007 to establish backlog reduction goals for FYs 2008, 2009 and 2010. The Privacy Office will be submitting these goals to the Department of Justice for review and will be publishing the goals on the Department's web site.

First, each component must set a goal for the number of requests and the number of appeals that it plans to process during each FY from 2008-2010. Second, each component must set a goal for the number of requests and the number of appeals that the component estimates will be pending beyond the statutory time period (i.e., backlog) at the end of each FY from 2008-2010. When developing their goals for reducing the backlogs during this period, components must necessarily prepare an estimate of the number of requests and appeals that will be received during each of those years. Accordingly, each component must submit a draft of their backlog reduction goals to PRIV no later than **Friday, September 21, 2007 by COB**. Please follow the Microsoft Word table template attached above for this submission and please contact our office if there are any questions. Thank you again and have a great evening!

Regards,
Bill

William H. Holzerland, CIPP/G
U.S. Department of Homeland Security
Associate Director,
Disclosure Policy & FOIA Program Development

[b2]

Backlog Reduction Goals for FY08, FY09, FY10
In furtherance of E.O. 13,392, "Improving Agency Disclosure of Information"

Requests

Fiscal Year	Number of Requests Pending at Beginning of FY	Estimated Number of Requests Incoming During FY	Agency's Goal for Number of Requests to be Processed During FY	Agency's Goal for Number of Requests Pending Beyond Statutory Time Period (i.e., Backlog) at End of FY
2008				
2009	Use # from last column above			
2010	Use # from last column above			

Backlog Reduction Goals for FY08, FY09, FY10
In furtherance of E.O. 13,392, "Improving Agency Disclosure of Information"

Appeals

Fiscal Year	Number of Appeals Pending at Beginning of FY	Estimated Number of Appeals Incoming During FY	Agency's Goal for Number of Appeals to be Processed During FY	Agency's Goal for Number of Appeals Pending Beyond Statutory Time Period (i.e., Backlog) at End of FY
2008				
2009	Use # from last column above			
2010	Use # from last column above			

Papoi, Catherine

From: Papoi, Catherine
Sent: Monday, October 23, 2006 10:57 AM
To: Debnam, Sandra; Papoi, Catherine
Subject: Accepted: Updated: AILA Meeting with CIS and ICE

Papoi, Catherine

From: Papoi, Catherine
Sent: Tuesday, October 24, 2006 9:51 AM
To: Debnam, Sandra; Papoi, Catherine
Subject: Accepted: Updated: Meeting with AILA (Amy Peck)

Papoi, Catherine

From: Papoi, Catherine
Sent: Tuesday, June 20, 2006 3:02 PM
To: Avidan, Elliot; Christian, Cindy; Fields, Marshall H; Harrison, Barbara M; Hawkins, Donald K; Holzerland, William; Huff, Latita; Marshall, Gloria L; Ortiz, Magda S; Ovall, Jeffery; Ford Page, Sandy; Pavlik, Catrina TSA-FOIA; Sealing, Donna; Suzuki, Shari; Donald Taylor [b Z =]; Worthy, Gayle; Zimmerman-Pate, Marty
Cc: Cooney, Maureen; Mortensen, Kenneth; Withnell, Elizabeth; Papoi, Catherine
Subject: ***ADVISEMENT OF NEW FOIA REPORTING REQUIREMENT***
Contacts: Elliot Avidan; Cynthia Christian; Marshall Fields; Barbara Harrison; Donald Hawkins; William Holzerland; Latita Huff; Gloria Marshall; Magda Ortiz; Jeff Ovall; Sandy Ford Page; Catrina Pavlik; Donna Sealing; Shari Suzuki; Donald Taylor; Gayle Worthy; Marty Zimmerman-Pate
Attachments: DATA REQUIRED IMMEDIATELY .msg

Good afternoon, all. My thanks to everyone for their efforts in the recent scramble to provide FOIA backlog/processing information on such short notice. I know that those in the Secretary's office also appreciate the work that went into compiling the information.

As you are aware, Executive Order 13392 created a heightened awareness of and interest in the FOIA processes agency-wide. In an effort to maintain momentum and stay abreast of DHS FOIA operations, the Chief FOIA Officer requests that all FOIA Officers send to our office, on a monthly basis, information similar to what we requested via email last Wednesday (see attached). The following are the **reporting dates for the remainder of FY 2006:**

July 14
 August 18
 September 15

The following is the data requested:

1. How many open FOIA/PA requests do you currently have?
2. Of the open FOIA/PA requests in your component, how many were received within the last 10 business days?
3. Of the open FOIA/PA requests in your component, how many were received 11-20 business days ago?
4. Of the open FOIA/PA requests in your component, how many were received 21-60 business days ago?
5. Of the open FOIA/PA requests in your component, how many were received 61-120 business days ago?
6. Of the open FOIA/PA requests in your component, how many were received 121-180 business days ago?
7. Of the open FOIA/PA requests in your component, how many were received 181-240 business days ago?
8. Of the open FOIA/PA requests in your component, how many were received 241-480 business days ago?
9. Of the open FOIA/PA requests in your component, how many were received over 481 business days ago?
10. What is the date of your oldest request?

In addition, I need each component to send an email to me ASAP indicating how many requests they have received to-date during this FY.

Please let me know if there are questions and thanks again for all of your assistance.

Catherine Papoi
Acting Director, Departmental Disclosure & FOIA
Privacy Office
Department of Homeland Security
Phone: (571) 227-3813/Fax: (571) 227-1125

Papoi, Catherine

From: Papoi, Catherine : [b2]
Sent: Thursday, February 08, 2007 5:09 PM
To: [b2] Coates, Yvonne
Cc: Catherine Papoi; Holzerland, William; Lockett, Vania
Subject: June 30, 2007 EO Improvement Plan Milestones

Pursuant to the January 19, 2007 DHS E.O. FOIA Improvement Plan, USCG must meet the following milestones by June 30, 2007:

1. USCG will submit for allocation of 16 billets for USCG headquarters disclosure.
2. All components will evaluate disclosure operations, to include processing centralization, processing-track modifications and internal processing procedures and determine appropriate program modifications.
3. Senior component leaders will issue memos to all component employees regarding the importance of FOIA responsibilities.
4. Components will draft and implement the use of response letter templates. The draft templates will be forwarded to our office for review by April 27th.
5. Components will have a FOIA web site or a link to the DHS FOIA web page from their component's public web site.
6. Components will proactively disclose documents on its web site. When an agency has public information that does not fall into any subsection (a)(2) category but nevertheless could be made readily available to the public, including through posting on the Web, such availability can reduce the need for the making of FOIA requests. See Exec. Order No. 13,392, Sec. 3(b)(ii) (calling for "increased reliance on the dissemination of records that can be made available to the public" without the necessity of a FOIA request).
7. Components will be in full compliance with the statutorily mandated affirmative disclosure requirements under FOIA subsection (a)(2). The FOIA as amended in 1996 requires that agencies post on their Web sites frequently requested records, policy statements, staff manuals and instructions to staff, and final agency opinions. This obligation is unique in that it is a continuing one, which requires constant attention to make sure that an agency does not fall out of statutory compliance. See Exec. Order No. 13,392, Sec. 3(a)(iv) (calling for attention to this statutory requirement in particular).

Each component must report to my office on the success of each of the above milestones **by July 6, 2007**. The report must attach the final documents created in response to items 3 and 4. In addition, please provide the web link for items 5-7.

There are additional Department-wide milestones that my office must accomplish by June 30, 2007. Please see the Improvement Plan for details. I will also provide information on those action items when implemented. If there are questions, please do not hesitate to contact Associate Director for Program Development, Bill Holzerland, at

[b2]

Catherine Papoi, J.D.
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 Deputy Chief FOIA Officer
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Papoi, Catherine

From: Papoi, Catherine [C b2]
Sent: Thursday, February 08, 2007 5:08 PM
To: Cejka, Diane T; Welsh, Brian J; Sposato, Janis A
Cc: Scharfen, Jonathan R; Catherine Papoi; Lockett, Vania; Holzerland, William
Subject: June 30, 2007 EO Improvement Plan Milestones

Pursuant to the January 19, 2007 DHS E.O. FOIA Improvement Plan, USCIS must meet the following milestones by June 30, 2007:

1. USCIS will implement the new final rules pertaining to processing genealogy and immigration litigation-related requests and initiate processing ICE A-file records in accordance with provided ICE guidance.
2. USCIS is instituting the NRC performance modification plan.
3. All components will evaluate disclosure operations, to include processing centralization, processing-track modifications and internal processing procedures and determine appropriate program modifications.
4. Senior component leaders will issue memos to all component employees regarding the importance of FOIA responsibilities.
5. Components will draft and implement the use of response letter templates. The draft templates will be forwarded to our office for review by April 27th.
6. Components will have a FOIA web site or a link to the DHS FOIA web page from their component's public web site.
7. Components will proactively disclose documents on its web site. When an agency has public information that does not fall into any subsection (a)(2) category but nevertheless could be made readily available to the public, including through posting on the Web, such availability can reduce the need for the making of FOIA requests. See Exec. Order No. 13,392, Sec. 3(b)(ii) (calling for "increased reliance on the dissemination of records that can be made available to the public" without the necessity of a FOIA request).
8. Components will be in full compliance with the statutorily mandated affirmative disclosure requirements under FOIA subsection (a)(2). The FOIA as amended in 1996 requires that agencies post on their Web sites frequently requested records, policy statements, staff manuals and instructions to staff, and final agency opinions. This obligation is unique in that it is a continuing one, which requires constant attention to make sure that an agency does not fall out of statutory compliance. See Exec. Order No. 13,392, Sec. 3(a)(iv) (calling for attention to this statutory requirement in particular).

Each component must report to my office on the success of each of the above milestones **by July 6, 2007**. The report must attach the final documents created in response to items 4 and 5. In addition, please provide the web link for items 6-8.

There are additional Department-wide milestones that my office must accomplish by June 30, 2007. Please see the Improvement Plan for details. I will also provide information on those action items when implemented. If there are questions, please do not hesitate to contact Associate Director for Program Development, Bill Holzerland, at

C b2]

Catherine Papoi, J.D.
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 Deputy Chief FOIA Officer
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message is strictly prohibited. If you have received this in error, please reply immediately to the sender and delete this message. Thank you.

Papoi, Catherine

From: Papoi, Catherine [C b 2 j]
Sent: Thursday, February 08, 2007 5:05 PM
To: Ressler, Shila; Suzuki, Shari; Zimmerman-Pate, Marty; Worthy, Gayle; Avidan, Elliot; Christian, Cindy; Fields, Marshall H; Marshall, Gloria L; Ovall, Jeffery; Hawkins, Donald K; Huff, Latita; Ford Page, Sandy; Pavlik-Keenan, Catrina M; Dorgan, Mark; Hudson, Reginald; McNeely, James; CRCL Counsel; Gramian, Nikki; Snowden, Deborah TSA-FOIA; Russell, Michael; Plofker, Howard TSA OCC; Reback, Richard; Young, Sophia G
Cc: Lockett, Vania; Catherine Papoi; Teufel, Hugo; Holzerland, William
Subject: June 30, 2007 Improvement Plan deadlines

Pursuant to the January 19, 2007 DHS E.O. FOIA Improvement Plan, all components must meet the following milestones by June 30, 2007:

1. All components will evaluate disclosure operations, to include processing centralization, processing-track modifications and internal processing procedures and determine appropriate program modifications.
2. Senior component leaders will issue memos to all component employees regarding the importance of FOIA responsibilities.
3. Components will draft and implement the use of response letter templates. The draft templates will be forwarded to our office for review by April 27th.
4. Components will have a FOIA web site or a link to the DHS FOIA web page from their component's public web site.
5. Components will proactively disclose documents on its web site. When an agency has public information that does not fall into any subsection (a)(2) category but nevertheless could be made readily available to the public, including through posting on the Web, such availability can reduce the need for the making of FOIA requests. See Exec. Order No. 13,392, Sec. 3(b)(ii) (calling for "increased reliance on the dissemination of records that can be made available to the public" without the necessity of a FOIA request).
6. Components will be in full compliance with the statutorily mandated affirmative disclosure requirements under FOIA subsection (a)(2). The FOIA as amended in 1996 requires that agencies post on their Web sites frequently requested records, policy statements, staff manuals and instructions to staff, and final agency opinions. This obligation is unique in that it is a continuing one, which requires constant attention to make sure that an agency does not fall out of statutory compliance. See Exec. Order No. 13,392, Sec. 3(a)(iv) (calling for attention to this statutory requirement in particular).

Each component must report to my office on the success of each of the above milestones **by July 6, 2007**. The report must attach the final documents created in response to items 2 and 3. In addition, please provide the web link for items 4-6.

There are additional Department-wide milestones that my office must accomplish by June 30, 2007. Please see the Improvement Plan for details. I will also provide information on those action items when implemented. If there are questions, please do not hesitate to contact Associate Director for Program Development, Bill Holzerland, at

[b 2 j]

Catherine Papoi, J.D.
 Director, Departmental Disclosure & FOIA
 Deputy Chief FOIA Officer
 U.S. Department of Homeland Security
 Washington, D.C. 20528
 Phone: 571.227.3813/Fax: 571.227.1125

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not the intended recipient, you are hereby notified that any dissemination, distribution, use or copying of this message is strictly prohibited. If you have received this in error, please reply immediately to the sender and delete this message. Thank you.

Papoi, Catherine

From: Papoi, Catherine [b2]
Sent: Monday, July 16, 2007 3:37 PM
To: Dorgan, Mark; Zimmerman-Pate, Marty; Harris, Talya I; Orsino, Stephen; Welsh, Brian J; Cejka, Diane T; Taylor, Donald; Richardson, Sherry; Janet, Kevin TSA FOIA; Huff, Latita; Hudson, Reginald; Suzuki, Shari; Pavlik-Keenan, Catrina M; Reback, Richard; Turner, Alisa; Hawkins, Donald K; Wiley, Miles; Young, Sophia G; McNeely, James; CRCL Counsel; Miller, Patricia
Cc: Papoi, Catherine; Lockett, Vania; Holzerland, William
Subject: December 31, 2007 Improvement Plan deadlines and reporting requirement

Pursuant to the January 19, 2007 DHS E.O. FOIA Improvement Plan, all components must meet the following milestones by December 31, 2007:

1. DHS will eliminate its request backlog.
2. Applicable components complete all FOIA personnel hiring actions.
3. Improved customer service through the liaisons.
4. USCIS and ICE will determine a target date for completing the A-file digitization project.
5. Programs will finalize operational changes deemed necessary, including processing centralization, processing-track modifications, and internal processing procedures.
6. USCIS will institute the Ombudsman's operational recommendations.
7. DHS FOIA professionals who devote more than 50 percent of their time to FOIA will attend annual FOIA training offered through the U.S. Department of Justice or other similar program.
8. All DHS components will be in full compliance with the DHS FOIA regulations.

Each component must report to my office on the success of each of the above milestones by **January 11, 2008**. If one or more of the above milestones is not met, the component must submit responses to the following for each deficiency:

1. Identify the deficient milestone.
2. Identify the FOIA Improvement Plan area to which your deficient milestone relates.
3. Describe the specific steps you have taken to date to correct the deficiency, including the dates by which you completed these steps.
4. Describe any additional steps that you will be taking in the future to correct the deficiency, including the dates by which you will complete these steps.

There are additional Department-wide milestones that my office must accomplish by December 31, 2007. Please see the Improvement Plan for details. If there are questions, please do not hesitate to contact Associate Director for Program Development, Bill Holzerland, at [b2]

Catherine Papoi, J.D., CIPP/G
Deputy Chief FOIA Officer
Director, Departmental Disclosure & FOIA
U.S. Department of Homeland Security
Washington, D.C. 20528
Phone: 703.235.0790/Fax: 703.235.0443

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delete this message. Thank you.



**Department of Homeland Security
Privacy Office**

[b2]
[b2]
[b2]

**DHS Chief FOIA Officer's Meeting
Tuesday, August 8, 2006
10:00 a.m. -11:00 a.m.**

- Sign-in and Introductions
- Supplemental Executive Order Report
- Component FOIA Guidance
- Reporting
 - a. Weekly Report
 - b. Monthly Report
 - c. Annual Report



**Department of Homeland Security
Privacy Office**

[b2]

**DHS Chief FOIA Officer's Meeting
Tuesday, December 12, 2006
11:00 a.m. -12:00 p.m.**

- Sign-in
- New positions at DHS HQ FOIA
 - Catherine Papoi, J.D., Deputy Chief FOIA Officer and Director, Disclosure and FOIA
 - Vania Lockett, Associate Director, Disclosure and FOIA Operations
 - William Holzerland, Associate Director, Disclosure and FOIA Program Development
 - Erin Odom, FOIA Administrative Specialist
 - James Larsen, FOIA Administrative Specialist
 - Stephanie Kuehn, Lead Senior FOIA Specialist
 - Mark Dorgan, Senior FOIA Specialist
 - Loren Clark-Moe, Senior FOIA Specialist
- Update on the DOJ Annual FOIA Report compilation
- Update on Supplemental Executive Order 13392 Report
 - Still in clearance
 - Eliminate backlogs by December 31, 2007
 - Education and Training
 - Technological Improvements
- Coming Soon...
 - Revised DHS FOIA Management Directive

- Finalized DHS FOIA Regulations
- Request for comprehensive list of component records from each FOIA officer (types of records, names of Systems, etc.)
- Request from components to provide information regarding what type of FOIA training they give/require for both FOIA personnel and non-FOIA collateral duty personnel

- Reporting
 - Weekly reporting -Due by C.O.B. each Friday (see attached guidance) and should be sent to Vania Lockett
 - Monthly reporting – Due by C.O.B.
 - January 19th
 - February 16th
 - March 16th
 - April 13th
 - May 18th
 - June 15th
 - Annual Report – Due December 1, 2007

- Overview of anticipated information requests

- DOJ 2006 FOIA Guide Seminar is December 19, 2007 – we will have a DOJ FOIA Guide for each component



**Department of Homeland Security
Privacy Office**



**DHS Chief FOIA Officer's Meeting
Thursday, July 19, 2007
10:00 a.m. -11:00 a.m.**

- Sign-in

- New employees at DHS HQ FOIA
 - Emily McMullen, FOIA Specialist
 - Carol Curley, FOIA Specialist

- DOJ FY 2007 Annual FOIA Report compilation
 - Currently, intend to use the same template as last year
 - DOJ will come out with guidance on the Improvement Plan-related section this fall
 - Due December 1, 2007

- Update on Executive Order 13392 FOIA Improvement Plan
 - December 31, 2007 component milestones:
 - DHS will eliminate its request backlog.
 - Applicable components complete all FOIA personnel hiring actions.
 - Improved customer service through the liaisons.
 - USCIS and ICE will determine a target date for completing the A-file digitization project.
 - Programs will finalize operational changes deemed necessary, including processing centralization, processing-track modifications, and internal processing procedures.
 - USCIS will institute the Ombudsman's operational recommendations.

- DHS FOIA professionals who devote more than 50 percent of their time to FOIA will attend annual FOIA training offered through the U.S. Department of Justice or other similar program.
 - All applicable DHS components will be in full compliance with the DHS FOIA regulations.
 - Component's status report re meeting the above milestones must be submitted to our office by January 11, 2008
- **DHS Headquarters Electronic FOIA Tracking System**
 - Version of IQ Solutions tailored for FOIA tracking
 - Using Adobe Acrobat for redaction
 - Recommend all components purchase
 - If interested, please contact our office
- **Reporting**
 - Weekly reporting -Due to Vania Lockett by C.O.B. each Friday
 - Monthly reporting – Due to William Holzerland by C.O.B.:
 - August 17, 2007
 - September 14, 2007
 - October 19, 2007
 - November 16, 2007
 - December 14, 2007
 - January 18, 2008
 - February 15, 2008
 - March 14, 2008
 - April 18, 2008
 - May 16, 2008
 - June 13, 2008
 - July 18, 2008
- **Upcoming CFOIAO Meeting dates:**
 - December 5, 2007
 - June 11, 2008
 - December 3, 2008
- **Appeal Packages**
 - Presented by OGC Counsel

Papoi, Catherine

Subject: CFOIAO's Meeting
Location: PRIV Conference Room

Start: Thu 12/13/2007 10:00 AM
End: Thu 12/13/2007 11:00 AM

Recurrence: (none)

Meeting Status: Meeting organizer

Required Attendees: Papoi, Catherine; Lockett, Vania; Curley, Carol <CTR>; Odom, Erin <CTR>; Lee, David <CTR>; McMullen, Emily <CTR>

Papoi, Catherine

Subject: CFOIAO mtg
Start: Wed 6/11/2008 10:00 AM
End: Wed 6/11/2008 11:00 AM
Recurrence: (none)

Papoi, Catherine

Subject: CFOIAO mtg
Start: Wed 12/3/2008 10:00 AM
End: Wed 12/3/2008 11:00 AM
Recurrence: (none)

ORDER FOR SUPPLIES OR SERVICES

PAGE OF PAGES

1 2

IMPORTANT: Mark all packages and papers with contract and/or order numbers.

1. DATE OF ORDER 05/14/2007	2. CONTRACT NO. (if any) GS-35F-0636K	8. SHIP TO: a. NAME OF CONSIGNEE Department of Homeland Security	
3. ORDER NO. HSHQDC-07-J-00424	4. REQUISITION/REFERENCE NO. ROSP-07-00008		

5. ISSUING OFFICE (Address correspondence to) U.S. Dept. of Homeland Security Office of Procurement Operations Dept. Operations Acquisition Div. 245 Murray Lane, SW Building 410 Washington DC 20528	b. STREET ADDRESS 245 Murray Lane Bldg. 410
	c. CITY Washington
	d. STATE DC
	e. ZIP CODE 20528

7. TO: a. NAME OF CONTRACTOR LOCKHEED MARTIN DESKTOP SOLUTIONS INC	f. SHIP VIA
--	-------------

b. COMPANY NAME c. STREET ADDRESS 2339 ROUTE 70 WEST 3W	8. TYPE OF ORDER <input type="checkbox"/> a. PURCHASE <input checked="" type="checkbox"/> b. DELIVERY
d. CITY CHERRY HILL	e. STATE NJ
	f. ZIP CODE 080023315

Reference your: Please furnish the following on the terms and conditions specified on both sides of this order and on the attached sheet, if any, including delivery as indicated.

Except for billing instructions on the reverse, this delivery order is subject to instructions contained on this side only of this form and is issued subject to the terms and conditions of the above-numbered contract.

9. ACCOUNTING AND APPROPRIATION DATA See Schedule	10. REQUISITIONING OFFICE Department of Homeland Security
--	--

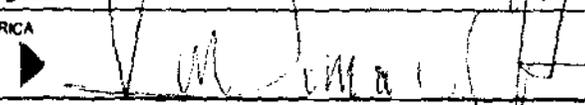
11. BUSINESS CLASSIFICATION (Check appropriate box(es)) <input type="checkbox"/> a. SMALL <input type="checkbox"/> b. OTHER THAN SMALL <input type="checkbox"/> c. DISADVANTAGED <input type="checkbox"/> d. WOMEN-OWNED <input type="checkbox"/> e. HUBZone <input type="checkbox"/> f. EMERGING SMALL BUSINESS <input type="checkbox"/> g. SERVICE-DISABLED VETERAN-OWNED	12. F.O.B. POINT Destination
--	---------------------------------

13. PLACE OF a. INSPECTION Destination	b. ACCEPTANCE Destination	14. GOVERNMENT B/L NO.	15. DELIVER TO F.O.B. POINT ON OR BEFORE (Date) 30 Days After Award	16. DISCOUNT TERMS Net 30
--	------------------------------	------------------------	---	------------------------------

17. SCHEDULE (See reverse for Rejections)

ITEM NO. (a)	SUPPLIES OR SERVICES (b)	QUANTITY ORDERED (c)	UNIT (d)	UNIT PRICE (e)	AMOUNT (f)	QUANTITY ACCEPTED (g)
	Tax ID Number: 54-1315551 DUNS Number: 153249859+0000					
	Continued ...					

18. SHIPPING POINT	19. GROSS SHIPPING WEIGHT	20. INVOICE NO.	17(h) TOTAL (Correct Pages)
21. MAIL INVOICE TO: a. NAME CFO/DOB - Room 3621			
b. STREET ADDRESS (or P.O. Box) Attn: DOB Invoice Team 245 Murray Lane, SW Bldg. 410 DOB-Invoice@dhs.gov			\$89,540.00
c. CITY Washington			17(i) GRAND TOTAL
d. STATE DC			
e. ZIP CODE 20528			\$89,540.00

22. UNITED STATES OF AMERICA BY (Signature) 	23. NAME (Typed) Victoria D. Short TITLE: CONTRACTING/ORDERING OFFICER
--	--

**ORDER FOR SUPPLIES OR SERVICES
SCHEDULE - CONTINUATION**

PAGE OF PAGES
2 2

IMPORTANT: Mark all packages and papers with contract and/or order numbers.

DATE OF ORDER 05/14/2007	CONTRACT NO. GS-35F-0636K	ORDER NO. HSHQDC-07-J-00424
-----------------------------	------------------------------	--------------------------------

ITEM NO. (A)	SUPPLIES/SERVICES (B)	QUANTITY ORDERED (C)	UNIT (D)	UNIT PRICE (E)	AMOUNT (F)	QUANTITY ACCEPTED (G)
0001	<p>Admin Office: U.S. Dept. of Homeland Security Office of Procurement Operations Dept. Operations Acquisition Div. 245 Murray Lane, SW, Building 410 Attn Sheri Brooks Washington DC 20528</p> <p>Accounting Info: NONE000-000-SA-10-01-00-000-01-09-0000-00-00-00-00-GE-OE-25-14-000000 Period of Performance: 04/01/2007 to 09/30/2007</p> <p>28 Intranet Quorum Executive Correspondence Tracking (ECT) licenses to set-up Freedom of Information Act (FOIA) and Privacy Act operations at DHS Headquarters. See attached price quote incorporated by full text. Product/Service Code: 7030 Product/Service Description: ADP SOFTWARE</p> <p>The total amount of award: \$89,540.00. The obligation for this award is shown in box 17(i).</p>				89,540.00	

TOTAL CARRIED FORWARD TO 1ST PAGE (ITEM 17(H))

Rough Order of Magnitude
 Proposal for
 Department of Homeland Security
 DHS FOIA Components - Total 28 Users
 May 11, 2007
 Period of Performance: 5/1/07 to 9/30/07

Part	Item Description	Note	Quantity	Unit	Price
Software					
	Intranet Quorum Enterprise Business Process Management with People, Correspondence Workflow, Events, Security, and Internet Management Suite				
GSA-U-IGENT				\$	
Sub-Total				\$	
Labor					
GSA-H-IPM	Project Management	1,2,3		\$	
GSA-H-WKF	Workflow Consulting	1,2,3		\$	
GSA-H-INS	Installation	1,2,3		\$	
GSA-H-RDV	Reports Development	1,2,3		\$	
GSA-H-CON	Data Conversion	1,2,3		\$	
GSA-H-UTC	User Training Classes	1,2,3,5,6		\$	
GSA-H-ITC	Technical Training Classes	1,2,3		\$	
GSA-H-OSS	Extended Onsite Support	1,2,3		\$	
Sub-Total				\$	
Support and Maintenance					
GSA-H-HDS	Support Agreement			\$	
GSA-U-AUS	Annual Upgrade Subscription/Maintenance	4		\$	
Sub-Total				\$	
Other					
	Estimated Travel Expenses		0	\$	
	Estimated Per Diem		0	\$	
Sub Total				\$	
Grand Total				\$	89,540

(b)(4)
(b)(4)

(b)(4)

(b)(4)

Notes:

1. Estimate Only. Actual time will be billed.
2. All travel and expenses will be billed using Federal Travel Guidelines.
3. This Time and Material service is offered using an hourly rate.
4. [REDACTED]

(b)(4)

5. Customer to provide suitable training facilities for up to 15 students per class.
6. As proposed, classroom training includes IQ Basics, Correspondence, and workflow.

General:

- a. All pricing subject to the terms and conditions of the Lockheed Martin Desktop Solutions, Inc. GSA Federal Supply Schedule (GS 35-1836K).
- b. Pricing valid for 90 days from date of this offer.
- c. Please reference quote number on any subsequent purchase order.
- d. DHS executes GSIT 1038, 6071 Option 1 for FY07.
- e. Additional Services such as, e.g., workflow consulting, data conversion, reports development, etc., can be purchased on a Time and Material basis.
- f. Implementation includes Project Management, Installation, & Deployment, Maintenance and Support (normal business hours).

Lockett, Vania

From: Lockett, Vania
Sent: Friday, June 29, 2007 3:51 PM
To: Lockett, Vania; 'Ressler, Shila'; Suzuki, Shari; Zimmerman-Pate, Marty; Fields, Marshall H; Marshall, Gloria L; Oval, Jeffery; Hawkins, Donald K; Huff, Latita; 'Hudson, Reginald'; 'McNeely, James'; 'CRCL Counsel'; Gramian, Nikki; 'Russell, Michael'; Plofker, Howard TSA OCC; Reback, Richard; Young, Sophia G; 'Dorgan, Mark'; Welsh, Brian J; Cejka, Diane T; Gentile, Dominick; 'Wiley, Miles'; Pavlik-Keenan, Catrina M; 'Turner, Alisa'; Janet, Kevin TSA FOIA
Cc: Papoi, Catherine; Holzerland, William
Subject: DHS FOIA Response Templates
Attachments: Thank You to Submitter.doc; Acknowledgement_Referral Received.doc; Baggage Complaint for TSA.doc; Confirm Request Withdrawn.doc; Deadbeat_Outstanding Fees.doc; Denial_Denied in Part or in Full.doc; Denial_Expedited Treatment.doc; Denial_Fee Waiver.doc; Denial_No Records Response.doc; DHS Response with Appeal_Info To Inter-agency Referral.doc; Disentitlement Doctrine_Fugitive.doc; Fee Estimate_Willingness to Pay_Advance Payment.doc; Fee_Waiver_Abeyance.doc; FOIA Exemptions.doc; Glomar.doc; I-94 Letter for CBP.doc; Intent to Release_No Submitter Response.doc; Intent to Release_Over Submitter Objections.doc; Inter-agency Referral for Review and Return.doc; Inter-agency Transfer for Direct Response (2 ltrs).doc; Intra-agency Transfer for Direct Response (2 ltrs).doc; Intra-agency Transfer of Inter-agency Referral (3 ltrs).doc; NMI_No Questions.doc; NMI_Not Reasonably Described.doc; Predisclosure Notice to Requirer.doc; Predisclosure Notice to Submitter.doc; Privacy Act Exemptions.doc; Release in Full.doc; Suspense Tracker.doc

All,

In accordance with the provisions of the Department of Homeland Security (DHS) FOIA Improvement Plan, attached are the DHS FOIA Response Templates. These templates are model letters, which have been cleared through DHS legal review and must be used by all DHS component FOIA offices to respond to FOIA requests. Consistency throughout DHS is paramount. Therefore, if your component believes there is a necessity to incorporate additional mission specific language, that language must be presented to this office for review and approval prior to use.

If there are any questions or concerns, please do not hesitate to contact this office.

Vania T. Lockett, CIPP/G
Associate Director, Disclosure & FOIA Operations
Privacy Office
U.S. Department of Homeland Security
Direct: [b2]
Fax: 703-235-0443
FOIA Main: 703-235-0790
<http://www.dhs.gov/foia>

Papoi, Catherine

From: Taylor, Donald [(b)(2)]
Sent: Tuesday, August 15, 2006 12:35 PM
To: [(b)(2)]
Cc: Ouellette, Robin
Subject: FW: COMPONENT FOIA POLICY

Catherine-

The CG FOIA Manual is our policy guidance for FOIA. We publish updates as necessary. When field processors have questions regarding whether to release or withhold a record, they consult with their cognizant servicing legal officer.

The Coast Guard is also guided by 49 CFR 7, the DOT's regulation for FOIA.

-Donald

-----Original Message-----

From: Ouellette, Robin
Sent: Tuesday, August 15, 2006 11:16 AM
To: Taylor, Donald
Subject: FW: COMPONENT FOIA POLICY

Comment?

-----Original Message-----

From: [(b)(2)] [mailto:[(b)(2)]]
Sent: Tuesday, August 15, 2006 11:13 AM
To: Ouellette, Robin
Subject: Re: COMPONENT FOIA POLICY

There is no other guidance, such as memos on specific aspects of FOIA processing, distributed to the field?
Catherine M. Papoi
Acting Director, Departmental Disclosure & FOIA Privacy Office Department of Homeland Security

Sent from my BlackBerry Wireless Handheld

----- Original Message -----

From: Ouellette, Robin [(b)(2)]>
To: [(b)(2)]>
Cc: Taylor, Donald
Sent: Tue Aug 15 11:07:33 2006
Subject: COMPONENT FOIA POLICY

Ms. Papoi:

This is in response to your request for a copy of the Coast Guard's FOIA policy. The Freedom of Information and Privacy Acts Manual, COMDTINST M5260.3, is available for your use electronically at:
www.uscg.mil/ccs/cit/cim/foia/foia.htm
<<http://www.uscg.mil/ccs/cit/cim/foia/foia.htm>> .

Robin Ouellette

FOIA Appeals Case Officer

CG-611

Ph: [(b)(2)]

□ (b)(2) □:

Papoi, Catherine

From: Harrison, Barbara M (s)(2), (b)(6)
Sent: Thursday, August 10, 2006 4:05 PM
To: Papoi, Catherine
Subject: US-VISIT FOIA POC TRAINING

Attachments: FOIA POC Training.ppt

Catherine,

Here's slides from our training. We're working on something for project managers/subject matter experts who have to search for responsive documents and review them to identify information for consideration as a FOIA exemption.



FOIA POC
aining.ppt (196 KB)

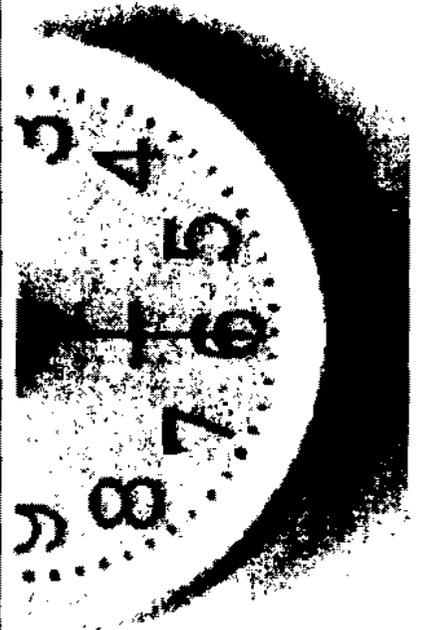
Barbara

(b)(2), (b)(6)

FOIA POC Training

A Primer

July 2006



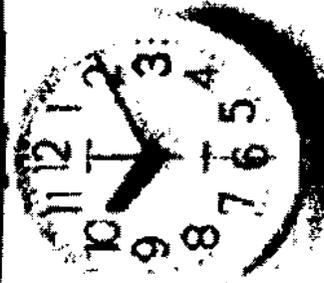
Requirement

Title 5 U.S.C. §552

Signed July 4, 1966

Promotes open government
Helps ensure openness and
accountability for government
activities

Mandates response within
20 working days



FOIA Structure

Responsibility of Department of Justice

Set policy

Create and publish FOIA Guide & Privacy Act Overview

Provide FOIA Hotline Attorneys to answer questions

DHS Privacy Office sets DHS policy based on regulations

DHS Interim guidance



US-VISIT Structure

Office of Chief Strategist

FOIA Officer

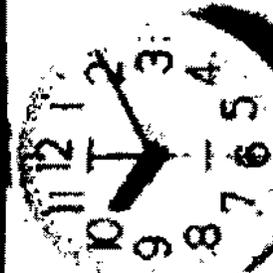
Contract FOIA Specialist

Part-time Legal Counsel

FOIA POC from each Office

Project Managers/Subject

Matter Experts (SMEs)



FOIA POC Roles and Responsibilities

Advocate for FOIA

Knowledge of respective office

Log request

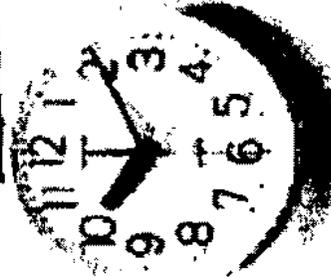
Send request to the appropriate project manager or subject matter expert

Track due dates

Advise FOIA Officer of emerging issues with data collection

Facilitate meetings with FOIA Officer and the project manager or subject matter expert when needed

Consolidate responsive documentation (depending on office's internal procedure)



US-VISIT FOIA POCs

Front Office

APMO

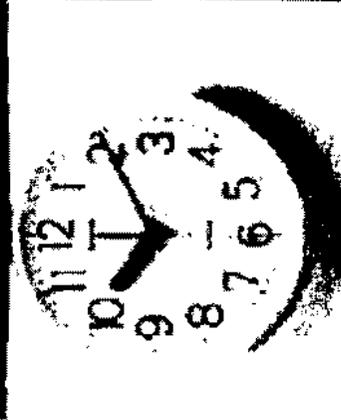
Admin and Training
Budget and Finance

Facilities and Eng

Implement Management
Info and Technology

Mission Operations

Outreach



(b)(6)

(b)(6)

(b)(6)

(b)(6)

(b)(6)

(b)(6)

(Primary for GAO & IG related requests)

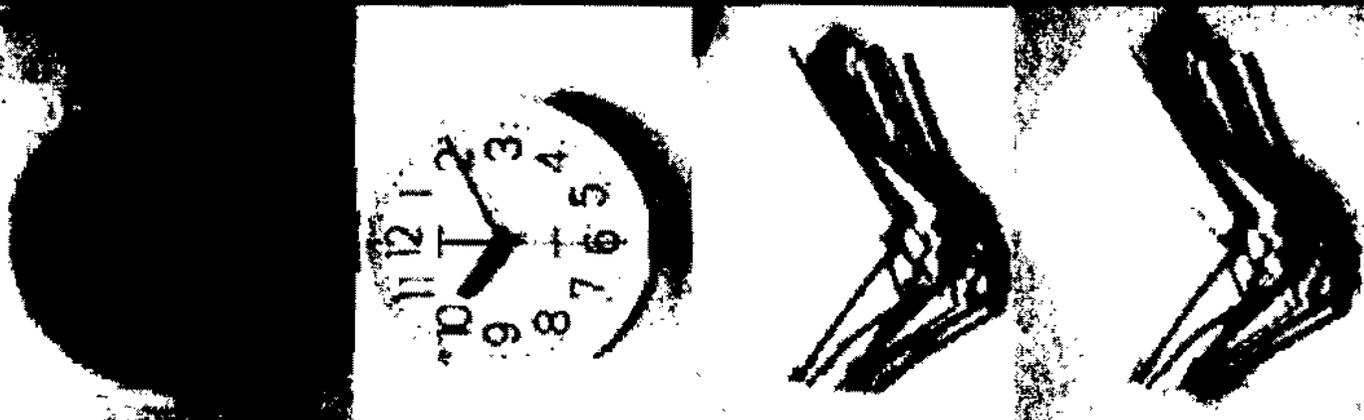
Project Manager/SME Roles and Responsibilities

Gather responsive agency records
Advise the FOIA POC of concerns or
barriers to data collection so they
can be addressed immediately

Review the documentation,
identifying any sensitive information
and providing a justification as to
why it should not be released

Track time involved in search and
review of records

Document, document, document



Agency Records

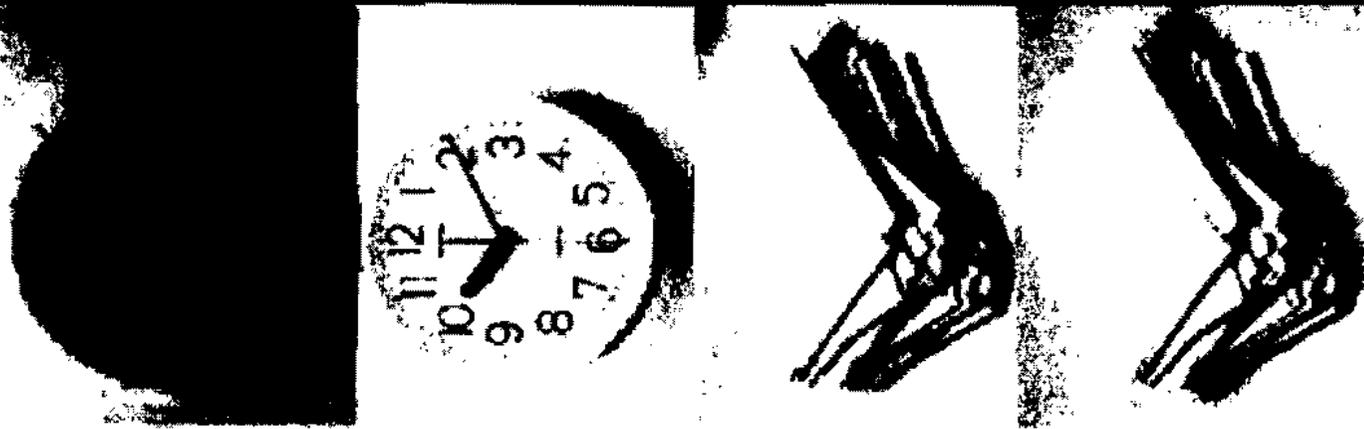
Agency records are:

- Created or obtained by an agency
- Under agency control at the time of request

Agency records are NOT:

- Personal records maintained by employees—should be separate from agency records and only used by that individual for such things a memory jogger when preparing performance appraisals—not shared with other staff
- Records maintained by contract staff and/or on equipment owned by contractor

Note: We do not produce documents in response to a FOIA request except for reports generated from databases



Checklist for reviewing documentation

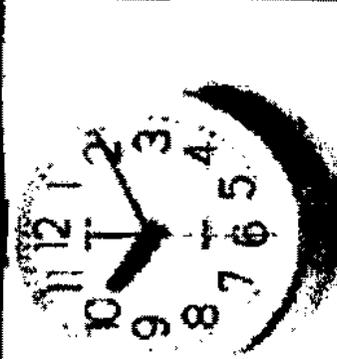
Searched all possible file folders, including electronic, for responsive documentation?

Within responsive timeframe?

Responsive to request? (Re-read request to ensure focus)

Identified and highlighted any information that, if disclosed, could cause harm to the government or could cause competitive harm to contractor?

Annotated reason to withhold information?



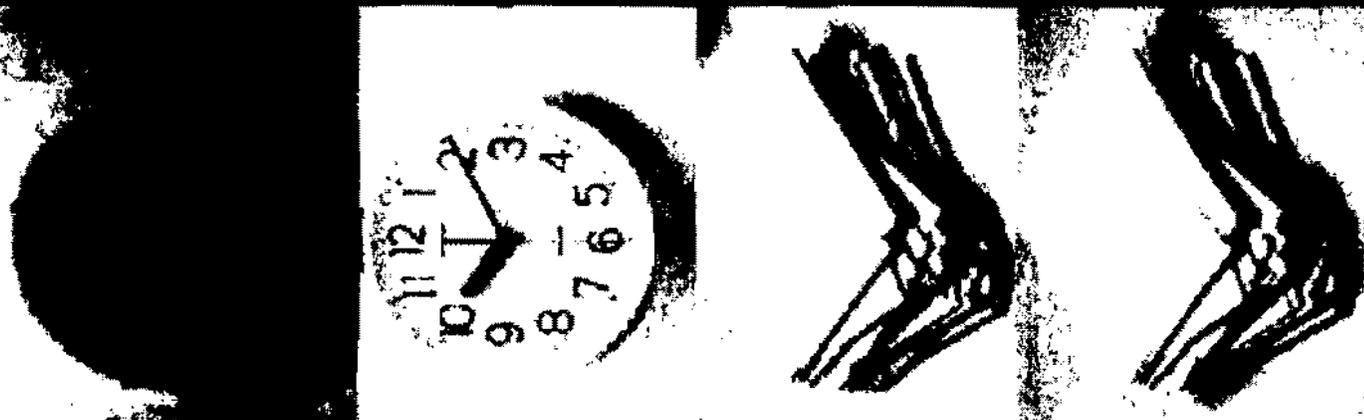
US-VISIT Policies

Withhold names of everyone except senior leadership

Withhold individual phone numbers – use the (202) 298-5200 reception number

Withhold e-mail addresses

Require individuals requesting fingerprint matches to those in IDENT to provide original 10-print card obtained at a local law enforcement office – then we verify if a match and return card to requester



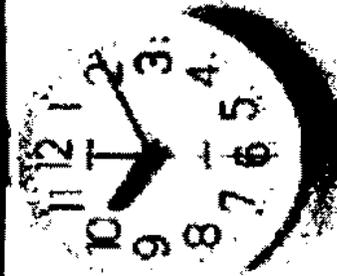
Exemptions b1 and b2

Exemption b1 - National security information concerning national defense or foreign policy of United States

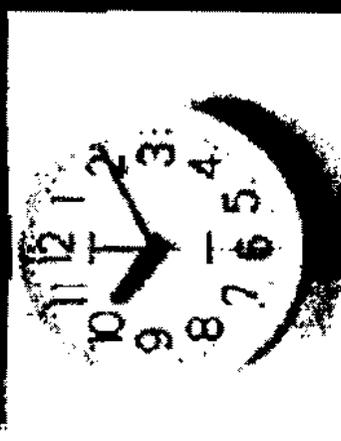
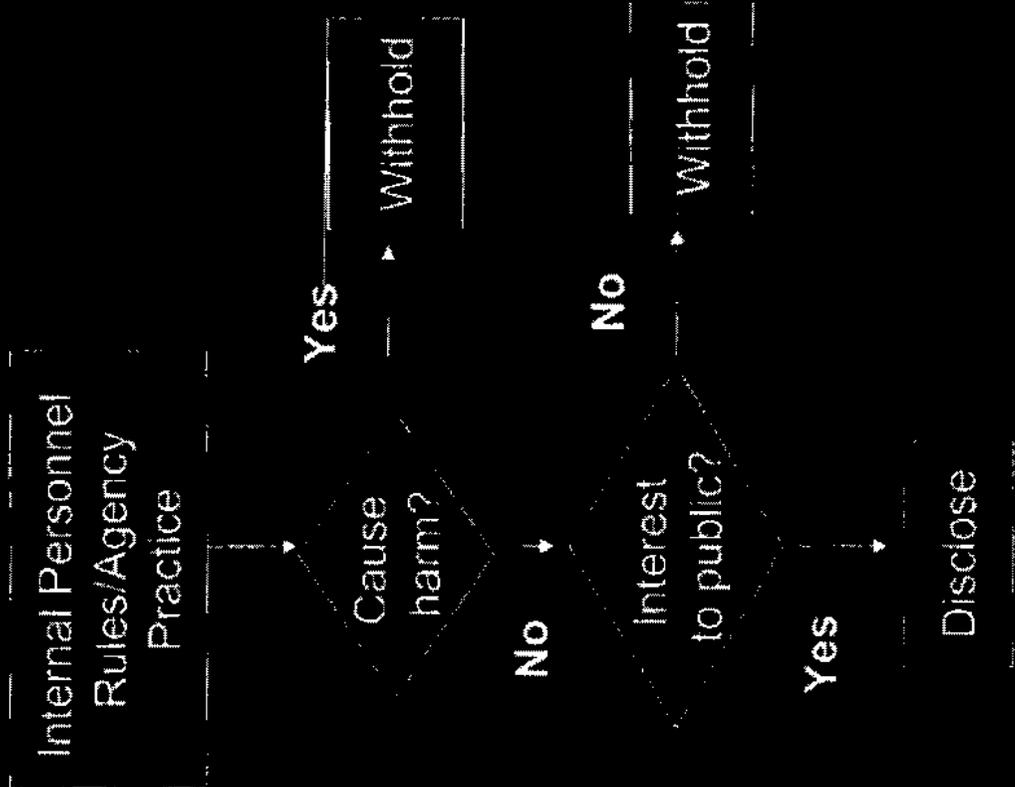
Exemption b2 - Internal personnel rules and practices of an agency

Low 2 - trivial nature such as room numbers, file numbers, etc.

High 2 - Internal information which if disclosed would risk circumventing agency regulations or statutes



Exemption b2 Determination



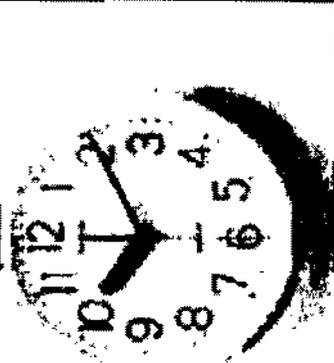
Exemption b3

Records that are exempt by statute
Homeland Security Act protects critical
infrastructure information that was
provided voluntarily

Patent Act

Foreign Government Information such
as International Red Cross

Names and addresses of members of
armed forces and their dependents

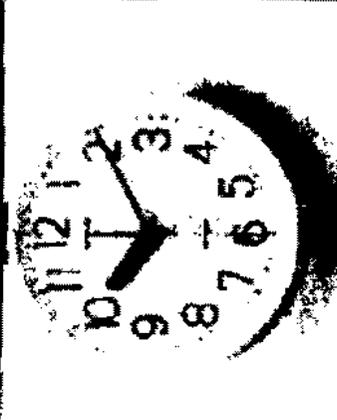


Exemption b4

Trade secrets and commercial or financial information obtained from a person that is privileged or confidential

Impair government's ability to obtain necessary information in the future

Cause substantial harm to competitive position of person from whom information was obtained



Exemption b4 Determination

If information is trade secret, commercial or financial, or privileged or confidential

Submitted Voluntarily?

Yes

Withhold

No

No

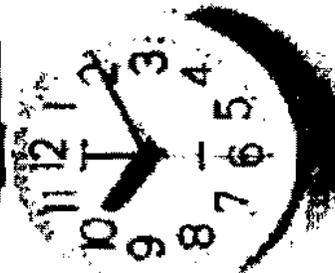
Competitive harm?

Yes

Impairment to Government?

Withhold

Disclose



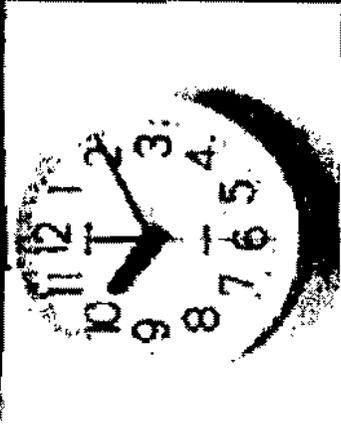
Exemption b5

Interagency or intra-agency memoranda or letters; often includes drafts

- Deliberative process

- Attorney work-product privilege

- Attorney-client privilege



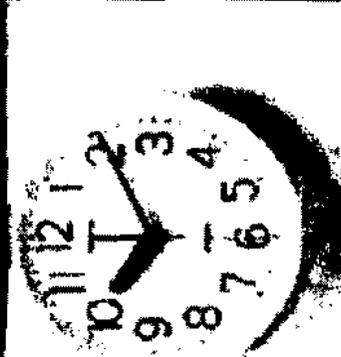
Exemption b6

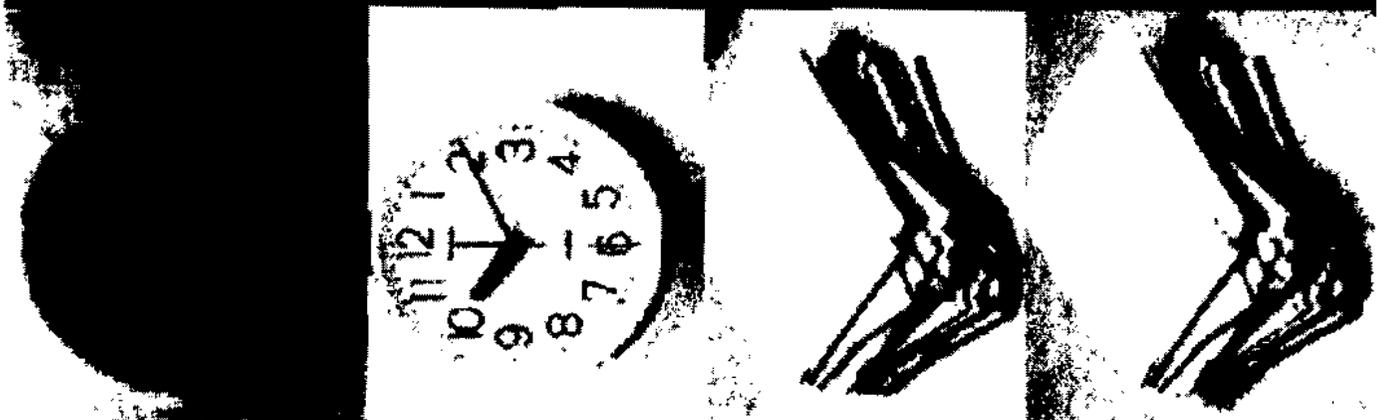
Personal identifying information that would cause clearly unwarranted invasion of personal privacy

Marital status, legitimacy of children, date of birth, medical condition, SSN, criminal history, sexual inclination, etc.

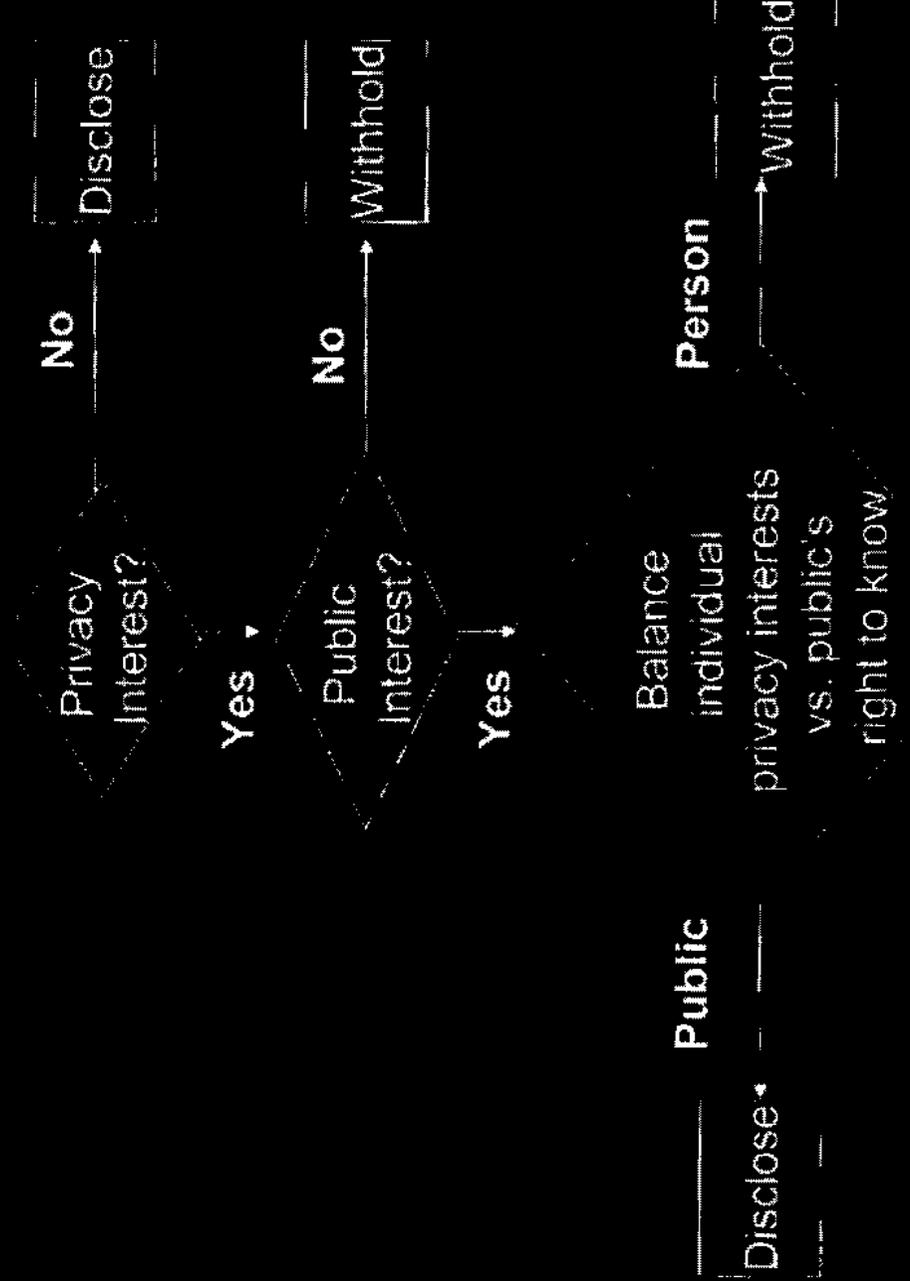
Public figures have lessened expectation of privacy

Home addresses of federal and military employees





Exemption b6 Determination



Exemption b7

Information compiled for law enforcement purposes

- b7a – Interfere with enforcement proceedings
- b7b – Deprive person of right to fair trial
- b7c – Unwarranted invasion of personal privacy (similar to b6)
- b7d – Identity of confidential source
- b7e – Techniques and procedures for law enforcement investigations or prosecutions
- b7f - Endanger life or physical safety

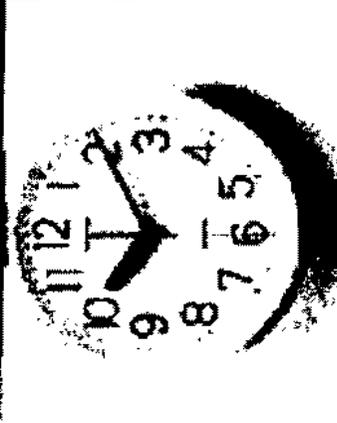
Exemptions b8 and b9

Exemption b8

Bank examining data used by
supervising institutions

Exemption b9

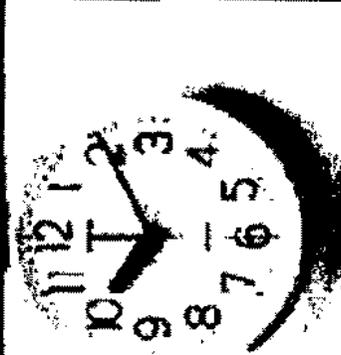
Geological and geophysical
information concerning wells

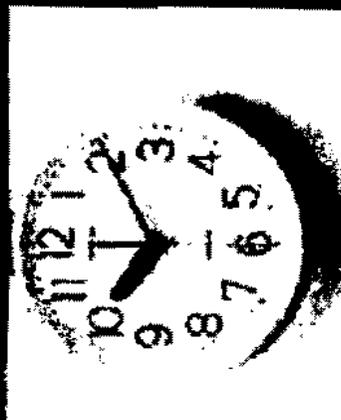
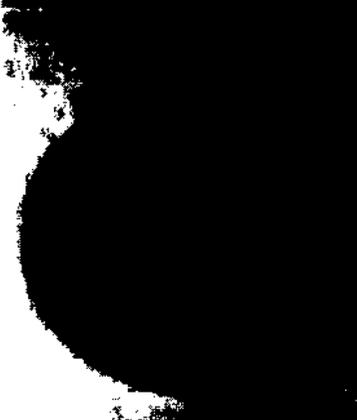


Penalties

If agency believes employee purposely leaked document, may take appropriate disciplinary action

Penalty under FOIA when agency personnel capriciously and arbitrarily withhold documents when known that they should have been released—investigation by Office of Special Counsel and agency takes corrective action recommended by that counsel





FOIA Process

FOIA Officer receives request

Determines if it belongs to US-VISIT

Logs into tracking system

Refers to another agency

or

Sends to FOIA POC

Review documentation from responsive offices

Determines which, if any, FOIA exemptions apply

Reconciles disagreements with responsive office

Redacts exemption information

Prepares response to requester

Closes request in tracking system

Files documentation

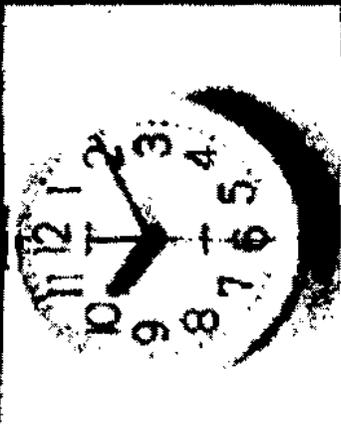
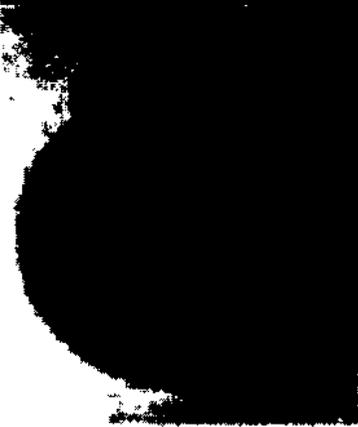
Multitrack System

Expedited – issues of great importance to the public that must be processed “immediately”

Simple – requests that take little time for search and processing such as requests for arrival and departure records or fingerprint matches

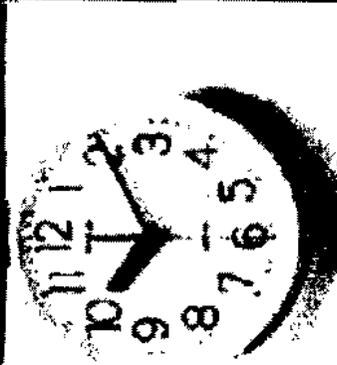
Complex – requests that take extensive search, review, and processing time such as those for testing, evaluation, and implementation of specific technology

Regulations require “First In, First Out”
Must work on all three to ensure all requests are processed



Fees - Categories

1. Commercial – pay for search, review, and photocopying time
2. Educational and noncommercial scientific institutions, including news media – pay only for duplication
3. All other requesters – pay for search and copying



Fees - Charges

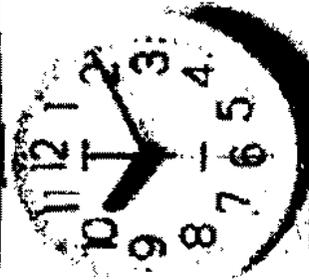
\$41 managerial personnel, \$28 professional staff, and \$14 clerical staff (Category 3 - get first two hours of research free)

\$.10 page (Category 2 and 3 get first 100 pages free)

If estimated processing is \$250; requester is asked to pay half prior to processing

Fees can become a negotiating tool to narrow scope for complex requests

Requesters may request fee waiver, but must meet thresholds for the waiver



Annual Report

Due December for the FY and includes:

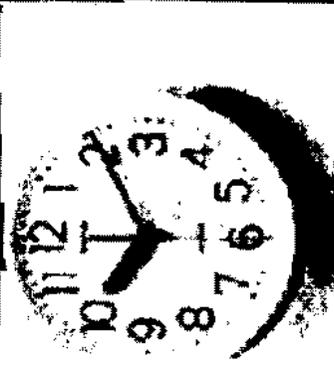
Number of requests received and completed

Type of request

Category of requester

Which exemptions were used

Cost of processing FOIAs even if requester not charged



Executive Order 13392

December 5, 2005

FOIA Operational Review

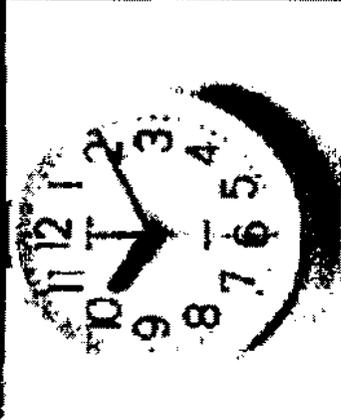
FOIA Improvement Plan

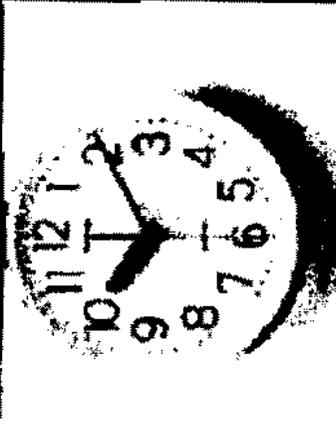
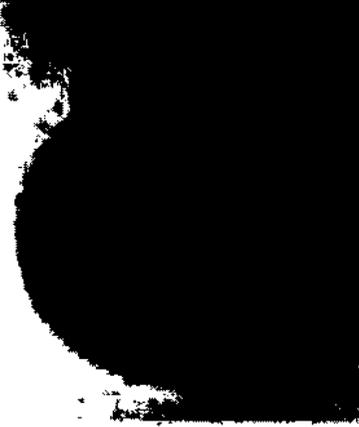
When milestones are not met DHS must report deficiency in Annual Report to the Attorney General

Explain reasons for agency failure

Outline steps taken and being taken to address deficiency

Report deficiency to President's Management Council





Operations Review Findings

Insufficient leadership support
Cumbersome documentation
processing

Inadequate procedures to
expedite processing

Lack of enhancements to the
electronic reading room, and

Lack of education and training
for staff

FOIA Improvement Plan

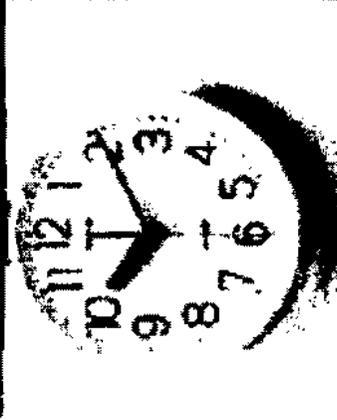
Demonstrated leadership support

Streamline processes

Better use of available technology

Update electronic reading room

Education and training of staff



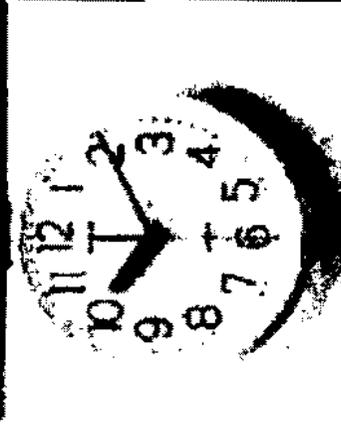
Electronic Reading Room

Frequently requested information

Agency policies and regulations

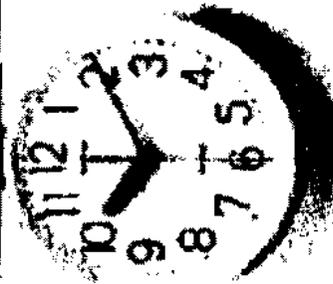
Links to information on how to make a FOIA request

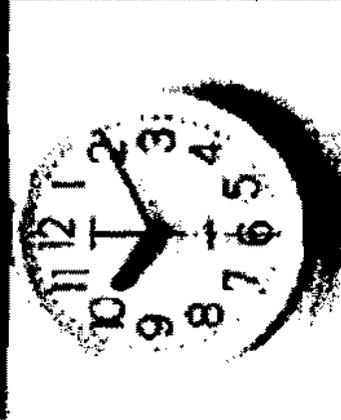
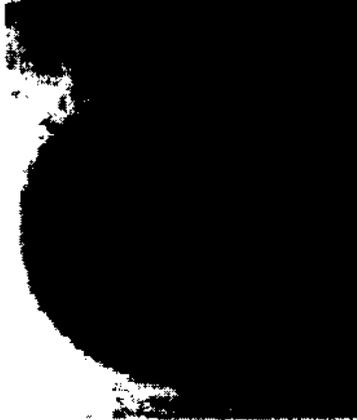
Good place to refer individuals requesting information on Accenture/US-VISIT proposal, RFID, and ePassport



Summary

- US-VISIT uses FOIA for transparency of operations
- US-VISIT will disclose information unless a FOIA exemption applies
- Continue to work on FOIA improvements
- Educating the US-VISIT leadership and staff via articles in US-VISIT Today
- Working on process for reviewing large files
- Identifying records that shed light on US-VISIT operations and are of public interest
- Updating electronic reading room
- Communicating with FOIA requesters
- Communicating needs to DHS Privacy Office





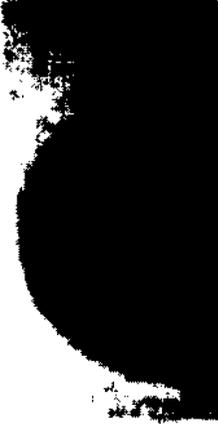
FOIA Resources

DOJ FOIA Hotline Attorneys

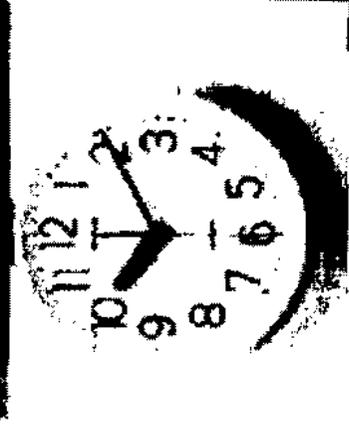
DOJ Website

DHS Website

US-VISIT Electronic Reading Room
Link



Your Ideas



**Educating staff
Educating leadership**

Topics for articles in

US-VISIT Today

Process Improvement

???????

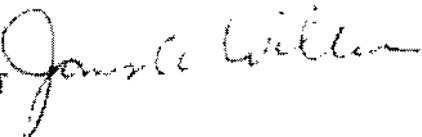




Homeland Security

April 21, 2006

MEMORANDUM FOR: ALL US-VISIT PERSONNEL

FROM: James A. Williams 
Director, US-VISIT

SUBJECT: Compliance with Freedom of Information Act Requirements

The Freedom of Information Act (FOIA) establishes the public's right to access records created or maintained by Government agencies. The FOIA sheds light on Government activities and helps ensure openness and accountability.

Many of you have heard me say that we want to make our activities transparent. One of our methods to help ensure transparency is through outreach activities, designed to keep the public informed of our current activities through briefings and news releases. Another method for ensuring transparency is the disclosure of information to the public under FOIA.

I realize that some FOIA requests require extensive searches for responsive agency records and time devoted to review of those records. This search and review often conflict with fulfilling the tasks critical to our mission. In those cases where our ongoing operational requirements will be impacted by the time needed to conduct searches and reviews, please notify your manager. If a resolution cannot be reached, you may contact Barbara Harrison, our FOIA Officer, to discuss your concerns. Ms. Harrison may be able to negotiate an extension with the FOIA requester so both can be accomplished. Keep in mind, however, that the FOIA mandates responses within 20 working days. While this requirement is often difficult to achieve, it is a requirement US-VISIT should strive to meet for each FOIA request. Therefore, I urge all of you to make every reasonable attempt to be responsive to FOIA requests.

The President recently signed an Executive Order directing that Government agencies improve their FOIA programs and focus on customer satisfaction. Ms. Harrison prepared an improvement plan to streamline our FOIA process and decrease the time to respond to FOIA requests. One of the areas of primary focus is education, so you will soon see articles and training directed at increasing your understanding of the FOIA process.

I know I can count on you to join me in supporting the FOIA Program.

Papoi, Catherine

From: Lockett, Vania <CTR>
Sent: Thursday, August 10, 2006 8:24 AM
To: Papoi, Catherine
Subject: FW: Operations Coordination FOIA Guidance
Attachments: OPS FOIA Issuance.doc

FYI

From: Hudson, Reginald
Sent: Thursday, August 10, 2006 8:19 AM
To: Lockett, Vania <CTR>
Subject: Operations Coordination FOIA Guidance

As requested at the FOIA Officer's Privacy Meeting on August 8, 2006, the attached includes the FOIA Guidance for the Office of Operations Coordination.

If you have questions or need additional information, I can be contacted by email or on the extension indicated below.

Thank You

*Reginald Hudson
FOIA/Privacy Officer
Operations Coordination Directorate
Department of Homeland Security
Washington, D.C.
[b2(100)]*

8/10/2006

G. Freedom of Information Reform Act of 1986; Uniform Freedom of Information Act Fee Schedule and Guidelines; 52 FR 10012, dated March 27, 1987;

H. President's Memorandum for Heads of Departments and Agencies, dated October 4, 1993, subject: The Freedom of Information Act;

I. Attorney General's Memorandum for Heads of All Federal Departments and Agencies Regarding the FOIA, October 12, 2001;

J. Guidance on Homeland Security Information, March 19, 2002, published at: <http://www.usdoj.gov/oip/foiapost/2002foiapost10.htm>.

4. Definitions

A. **Category**: The classification assigned to a requester for fee purposes determined by the projected use of the records. The categories are: (a) commercial; (b) educational; (c) non-commercial scientific institutions; (d) representatives of the news media; and (e) all other requesters.

B. **Department**: The Department of Homeland Security (DHS).

C. **FOIA Officer**: For DHS Headquarters, a FOIA Officer refers to an employee selected by the Director, HQ Departmental Disclosure or Designated DHS official to receive FOIA requests assigned to their area by the Director, HQ Departmental Disclosure and to provide assistance in administrative pertaining to FOIA request processing. For Operations, FOIA Officer refers to the Director, Disclosure Office.

D. **Responsible Official**: The Director of the organizational unit having immediate custody of the records requested or a designated official within that organizational unit.

E. **Designated DHS Official**: Senior DHS officials as designated by the Secretary, Deputy Secretary or Under Secretaries.

F. **Director, HQ Departmental Disclosure**: An individual reporting to the Chief Privacy Officer who serves as the Department of the Homeland Security's principal point-of-contact and agency representative on FOIA-related matters.

G. **Appeal Authority**: For initial requests denied by the OPERATIONS Initial Denial Authority (IDA) (see J), the appeal authority is the Director, HQ Departmental Disclosure.

H. **FOIA Request**: A written request for records made by any person, including a member of the public (U.S. or foreign citizen), an organization, or a business, but not including a Federal agency or a fugitive from the law that either explicitly

or implicitly invokes the FOIA (5 U.S.C. 552) or Management Directive Number: 0460.1. Requesters should also indicate a willingness to pay fees associated with the processing of their request or, in the alternative, why a waiver of fees may be appropriate. Written requests may be received by postal service or other commercial delivery means, by facsimile, or electronically. Requests received by facsimile or electronically must have a postal mailing address included since it may not be practical to provide a substantive response electronically. The request is considered properly received or perfected, when the above conditions have been met and the request arrives at the Disclosure Office.

1. Agency Record:

1. The products or data compilation, such as all books, papers, maps, and photographs, machine readable materials or other documentary materials, regardless of physical form or characteristics, made or received by an agency of the United States Government under Federal law in connection with the transaction of public business and in Operations' possession and control at the time the FOIA request is made.

2. The following are not included within the definition of the word "record":

a. Objects or articles, such as structures, furniture, vehicles and equipment, whatever their historical value, or value as evidence.

b. Anything that is not a tangible or documentary record, such as an individual's memory or oral communication.

c. Personal records of an individual not subject to agency creation or retention requirements, created and maintained primarily for the convenience of an agency employee, and not distributed to other agency employees for their official use. Personal papers fall into three categories: those created before entering Government service; private materials brought into, created, or received in the office that were not created or received in the course of transacting Government business; and work-related personal papers that are not used in the transaction of Government business.

3. A record must exist and be in the possession and control of Operations at the time of the request to be considered subject to the FOIA. There is no obligation to create, compile, or obtain a record to satisfy a FOIA request.

4. Hard copy or electronic records, that are subject to FOIA requests under 5 U.S.C 552 (a)(3), and are available to the public through an established distribution system, or through the Federal Register, the National Technical Information Service, or the Internet, normally need not be processed under the provisions of the FOIA. If a request is received for such information, Operations shall provide the requester with guidance, inclusive of any written notice to the

public, on how to obtain the information. However, if the requester insists that the request be processed under the FOIA, then the request shall be processed under the FOIA.

J. **Initial Denial Authority (IDA)**: An official who has been granted authority by the Director, HQ Departmental Disclosure to withhold records requested under the FOIA for one or more of the nine categories of records exempt from mandatory disclosure. IDAs may also deny a fee category claim by a requester; deny a request for expedited processing due to demonstrated compelling need; deny a request for waiver or reduction of fees; review a fee estimate; and confirm that no records were located in response to a request.

K. **Administrative Appeal**: A request made under the FOIA asking the appellate authority to: reverse a decision; to withhold all or part of a requested record; to deny a fee category claim by a requester; to deny a request for waiver or reduction of fees; to deny a request to review an initial fee estimate; to deny a request for expedited processing due to demonstrated compelling need; or to confirm that no records were located during the initial search. Requesters also may appeal the failure to receive a response determination within the statutory time limit, and **any** determination that the requester believes is adverse in nature.

L. **Public Interest**: The interest in obtaining official information that sheds light on an agency's performance of its statutory duties because the information falls within the statutory purpose of the FOIA to inform citizens about what their Government is doing. That statutory purpose, however, is not fostered by disclosure of information about private citizens accumulated in various governmental files that reveals nothing about an agency's or official's own conduct.

M. **Electronic Record**: Records (including e-mail) that are created, stored, and retrievable by electronic means.

N. **Federal Agency**: As defined by 5 U.S.C 552 (f)(1), a Federal Agency is any executive department, military department, Government corporation, Government controlled corporation, or other establishment in the executive branch of the Government (including the Executive Office of the President), or any independent regulatory agency.

5. Responsibilities

A. The **Director for the Office of Operations Coordination**, shall be responsible for all aspects of Freedom of Information Act Compliance as defined in DHS Management Directive Number: 0460.1.

B. The **Chief of Staff for the Office of Operations Coordination**, as delegated by the Director for the Office of Operations Coordination, has direct responsibility to:

1. Establish internal procedures to ensure the effectiveness of the DHS Freedom of Information Act program. The procedures shall be consistent with DHS Management Directive Number: 0460.1 and shall ensure the effectiveness of the Department's FOIA program.

2. Select a FOIA Officer and advise the Director, HQ Departmental Disclosure of the selection and of any subsequent changes in designation of selection.

C. The **Director Operations Disclosure Office**, has the overall responsibility for the implementation of the Operations Freedom of Information Act Compliance Procedures for all records maintained within Operations, serves as the Operations FOIA Officer, acts as the principal point-of-contact for coordination of FOIA and related matters and will establish procedures necessary to implement this issuance and DHS Management Directive Number: 0460.1 so as to ensure compliance with the requirements of 5 U.S.C. § 552 by:

1. Ensuring that employees who are responsible in any part for FOIA processing are knowledgeable about the provisions and requirements of the FOIA and ensure that these employees attend FOIA training at least once a year;

2. Ensuring that accurate and complete data is submitted in a timely manner to the Director, HQ Departmental Disclosure, for the Department of Homeland Security's Annual FOIA Report to the Attorney General, and for other reporting purposes, as required;

3. Ensure that records that are subject to section (a)(2) of the FOIA which have been created on or after November 1, 1996, are posted in an electronic reading room;

4. Submit proposed organizational element disclosure regulations or proposed changes to regulations to the Chief of Staff for OPERATIONS for review and approval;

5. Ensure that FOIA points of contact and web masters collaborate with the Operations records manager prior to disposing of records posted on the FOIA web sites and to schedule electronic records on the sites; and

6. Ensure that reasonable efforts are made to maintain records in forms or formats that are reproducible for purposes of the FOIA.

7. Ensure Operations compliance with the requirements of the FOIA, as amended by the Electronic FOIA Amendments of 1996 (EFOIA).

8. Task and coordinate all FOIA actions through the appropriate Operations offices.

9. Coordinate all FOIA responses with the Office of the General Counsel.

10. Sanitize information determined to be exempt from release under one or more FOIA exemptions in accordance with Title 5 U.S.C. § 552, as amended.

11. Forward all fees collected under the FOIA to the Department of the Treasury for further processing.

12. Coordinate action on FOIA requests that involve other government agencies (e.g., when DHS is not the original classifier of a classified document) with those agencies.

13. Prepare the final response to the requester.

14. Maintain files of all FOIA action in accordance with Operations Disclosure Directive 3, the Operations Records Management Program.

15. Determine:

- a. Whether to grant or deny requests for access to records;
- b. Whether to grant or deny requests for fee waivers; and,
- c. A requester's category for fee purposes;

16. Notify the requester of determination(s) made pursuant to paragraph 5.D.1;

17. Determine costs incurred by the Department to process the request and whether or not fees will be charged to the requester;

18. Ensure that requests are processed in accordance with all applicable disclosure requirements and;

19. Retrieve records retired to the Federal Records Center if they are needed in processing a request.

D. The **Appeal Authority** shall, upon receipt of an administrative appeal, either affirm or reverse those initial determinations that:

1. Deny access to a record or portion thereof;
2. Deny a request for a fee waiver;

3. Pertain to a requester's fee category;
4. Advise of no records located; or
5. Deny a request for expedited processing.

E. **Operations Directorates** shall:

1. Designate a responsible individual to respond to each FOIA request received or assigned pursuant to paragraph 5.C.10;
2. In conjunction with the Disclosure Office ensure consistency and completeness of the response to a FOIA request.

F. The Operations Associate **General Counsel** shall:

1. Coordinate on all partial and final Operations FOIA responses.
2. Ensure uniformity in the legal position and interpretation of the FOIA by Operations, and coordinate with the the DHS General Counsel, as necessary.

6. Policy & Procedures

A. **Policy**: It is the policy to implement the FOIA uniformly and consistently and to provide maximum allowable disclosure of agency records upon request by any individual.

Upon receipt of a request satisfying the requirements of the FOIA, records shall be disclosed unless they are protected by one or more of the FOIA exemptions or exclusions. Requests shall be processed to the extent practicable within the time limits defined by the FOIA. Individuals requesting information will be informed of the right and procedures to seek administrative appeal and to seek judicial review of:

- a. Any partial or total denial of access to records;
- b. A fee waiver denial;
- c. A determination of requester's category for fee purposes;
- d. A no-records determination; or,
- e. A denial of a request for expedited processing.

B. Procedures:

1. The FOIA requires that, in "unusual circumstances" as specified in the Act, agency initial decisions on whether to grant or deny access to records must be made within 20 working days of receiving the request and the requester so notified.

2. FOIA requests will be processed in a multi-track processing system, based on the date of receipt and the amount of work and time involved in processing the requests.

a. Processing tracks: Track One, simple requests; Track Two, complex requests; Track Three, requests that meet the test for expedited processing.

b. If a significant number of pending requests or the complexity of a request prevents a final response determination within the statutory 20 working days, the Director, Operations Disclosure Office will provide the requester an interim response acknowledging receipt of the request. If appropriate, the Disclosure Office will directly contact the requester to discuss the scope of the request, the response time frame and fee arrangements.

c. All FOIA requests will be assigned a case number. A copy of the request, with a completed coordination form and DD Form 2086 will be routed to the appropriate Operations section(s).

d. If the Operations section does not have responsive records but believes another office/agency might have them, it must return the complete package to the Disclosure Office and inform that office that it suspects another office may have records.

e. The Disclosure Office will ensure preparation of the final response to the requester and its coordination with the appropriate DHS office and outside agencies.

3. FOIAs involving unclassified information. The appropriate Operations subject matter expert office(s) will review unclassified documents for release under the FOIA. If the office recommends that information be withheld, it must bracket the information and apply the appropriate FOIA exemption for each bracketed segment of the document. The action office will include in its response the justification for withholding the information it identified and state the rationale for its recommendation. The Director of the office conducting the search and review, will verify the accuracy of the information by signing the FOIA request tasker (enclosure 1) accompanying the request. After the document has been reviewed, the reviewing office will forward it to the Disclosure Office for final processing.

4. FOIAs involving classified information.

a. Initial security review of classified documents for processing under the FOIA will be conducted by the Disclosure Office to determine if the document may be reclassified, declassified, or sanitized. This will be done by coordinating with the Operations subject matter expert for each requested document. When the Operations subject matter expert office(s) have determined what part, if any, of the information in a classified document may be sanitized or declassified, they will bracket any remaining classified information to be withheld. The appropriate FOIA exemption(s) must be provided for each bracketed segment of the document.

b. Upon completion of the review by the appropriate Operations subject matter expert office(s), a marked-up copy of the document(s) will be forwarded to the Security Office for review to determine if the bracketed and any other additional information should be withheld. If the Security Office recommends additional information be withheld, it must bracket the information. The appropriate FOIA exemption(s) must be provided for each bracketed segment of the document. If the Security Office thinks the information is not classified and should not be withheld, it will initiate discussions with the subject matter expert office(s). The Security Office will return the package to the appropriate Operations subject matter expert office(s) for processing.

c. When all classified information has been appropriately bracketed, the Operations subject matter expert office(s) will forward the document(s) to the Disclosure Office.

d. When the Operations section reviewing the documents recommends additional review by another agency, it will provide the Disclosure Office the full name and address of that agency and a technical point-of-contact, if known. The Disclosure Office will forward the action to that agency for further review.

e. If the reviewing agency(s) recommend that (currently classified) information be withheld, they must bracket the information. The appropriate FOIA exemption(s) must be provided for each bracketed segment of the document. After the document has been reviewed, the reviewing agency will forward it to the Operations Disclosure Office.

f. When all reviews have been completed, the Disclosure Office will complete final processing and prepare the response to the requester. The Disclosure Office will expunge, in a medium that does not permit photocopying of the exempt portions, all information within a document determined to be not releasable.

5. FOIA Appeals.

a. A requester may administratively appeal an agency's adverse initial determination and may seek judicial review if not satisfied with the agency's final decision. If a court determines that agency personnel have acted arbitrarily or capriciously in withholding records, disciplinary action against the employee primarily responsible may be warranted.

b. If the Disclosure Officer declines to provide a record because the Officer considers it exempt under one or more of the exemptions of the FOIA, the decisions may be appealed by the requester, in writing, to the Operations - designated appellate authority. Appeals may also be made for any determination the public considered adverse, to include, but not limited to, fee category claim; disapproval of waiver or reduction of fees; fee estimates; failure to grant expedited access; and no records determinations. Appeals must be clearly marked as such, both on the envelope and in the body of the letter. Persons appealing Operations denials should include a copy of the denial letter, the case number, a statement of the relief sought and the grounds upon which it is brought. Appeals should be sent to the following address: Director, HQ Departmental Disclosure; Privacy Office, Department of Homeland Security, Washington, DC 20528.

C. Reading Room:

1. Frequently requested records described in Title 5 U.S.C. § 552(a)(2)(A), (B), (C) and (D) (FOIA), created on or after November 1, 1996, shall be made available electronically on the Operations Disclosure Office web site, [http://www.dhs.gov/dhspublic/Operations FOIA Officer](http://www.dhs.gov/dhspublic/Operations%20FOIA%20Officer).

D. Special Instructions: This issuance may not be altered without prior coordination with Director, Operations Disclosure Office, [b2(10w)]

E. Effective Date: This directive is effective immediately.

Issued by: Derek Rieksts, Chief of Staff, Operations Coordination Directorate

On: _____

Attachment:

1. Freedom of Information Suspense Tracker

Papoi, Catherine

From: Christian, Cindy
Sent: Tuesday, August 22, 2006 1:14 PM
To: Papoi, Catherine
Cc: Smith, Douglas M; Avidan, Elliot
Subject: FW: Revised FOIA Requests Procedure

Attachments: FOIA Requests-Development-Aug 15.doc



FOIA
zsts-Development-A

Hi Catherine,

Here is S&T's "draft" procedures on processing FOIA requests. Please note that this is only the 2nd round with the writers on this process, so there are likely additional tweaks, but it's a start. As it stands now, I am putting out all tasks directly until I get another staff member. Once we have that person in place will be incorporating S&T's ExecSec and using the Department-wide ECT tracking system (which is reflected in the attached procedures).

We welcome all comments you wish to contribute so that S&T is in line with the DHS-HQ FOIA Office.

Thank you.

Cindy

.....
Cynthia A. Christian
Administrative Officer for GAO, OIG, & FOIA Science and Technology Office of the Under Secretary Office 10-032
(O) (b2) a(b6)
Mail Stop: 2100

Papoi, Catherine

From: Zimmerman-Pate, Marty (b)(2)(low)
Sent: Thursday, August 10, 2006 8:20 AM
To: Papoi, Catherine
Subject: FOIA Guidance from FLETC

Attachments: FOIAWebGuide.pdf

Catherine:

I am enclosing a copy of the FOIA guide published on our website. It is currently the only guidance we have provided. I noticed that this document still states that appeals must be submitted within 35 days. Our letters actually state 60 to be in line with DHS policy. I have requested to have this corrected ASAP.

Please feel to contact me if you have any questions.



FOIAWebGuide.pdf
(418 KB)

Respectfully,

*Marty Zimmerman-Pate
Disclosure Officer
Federal Law Enforcement Training Center
912-267-3103
912-267-3113 FAX*

Papoi, Catherine

From: Ovall, Jeffery (b)(2)(low)
Sent: Friday, August 18, 2006 12:46 PM
To: Papoi, Catherine
Subject: RE: FEMA FOIA Guidance
Attachments: FEMA FOIA INSTRUCTION, JUN 29, 2987.pdf

(b)(5) I don't have the memo on unit prices because it is being re-written as a result of the issues I raised last week. It hasn't been completed yet.

Jeff Ovall
FOIA Specialist
Office of Chief Counsel
Federal Emergency Management Agency
Department of Homeland Security
500 C Street SW, Rm 840
Washington, DC 20472
202 646-3051
FAX 202 646-3958
(b)(2)(low)

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From: Papoi, Catherine [mailto:(b)(2)(low)]
Sent: Friday, August 18, 2006 12:42 PM
To: Ovall, Jeffery
Subject: RE: FEMA FOIA Guidance

Yep. Also anything like the memo that went out on the unit prices.

From: Ovall, Jeffery [mailto:(b)(2)(low)]
Sent: Friday, August 18, 2006 12:33 PM
To: Papoi, Catherine
Subject: RE: FEMA FOIA Guidance

Not sure what you mean. We have a 35-page FEMA FOIA Instruction dated June 29, 1987. It's completely out of date and obsolete. Did you want a copy of that?

Jeff Ovall
FOIA Specialist
Office of Chief Counsel
Federal Emergency Management Agency
Department of Homeland Security
500 C Street SW, Rm 840
Washington, DC 20472
202 646-3051
FAX 202 646-3958
(b)(2)(low)

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From: Papoi, Catherine [mailto:(b)(2)(low)]

Sent: Friday, August 18, 2006 8:50 AM

To: Oval, Jeffery

Cc: Papoi, Catherine

Subject: FEMA FOIA Guidance

Hi, Jeff. I forgot to mention this during our phone call. Did you send over the existing FEMA guidance on FOIA processing?

Catherine

**FOIA/PRIVACY ACT SPECIALIST
GS-0301-14**

INTRODUCTION

This position is located in the General Law Division, Office of General Counsel, Federal Emergency Management Agency (FEMA), Department of Homeland Security (DHS), where the incumbent serves as a FOIA/Privacy Specialist directly supporting the FEMA Freedom of Information Act (FOIA) and Privacy Act (PA) programs.

Serves as a contact within FEMA and for significant organizational segments of the Agency, such as a Division, Office, Region, Center, or major field installation for guidance and interpretation of standards and procedures related to FOIA and Privacy Act. Renders judgments and conveys decisions regarding interpretations of policy.

DUTIES

As the senior FOIA Specialist, provides guidance and direction to other FOIA/Privacy Act Specialists within the Office of General Counsel, Divisional and Regional FOIA points of contact, and new employees on the FOIA and Privacy Act Programs. The Senior FOIA Specialist provides comments on the work-product of other FOIA/Privacy Act Specialists, and provides training, as necessary, to ensure that the work product is in compliance with the FOIA and the Privacy Act.

Conducts analyses of programs and staff proposals to assure implementation of policy and to recommend alternatives or modifications to existing policy as necessary. Develops guidance to be used for implementing criteria and evaluating programs. Reviews and recommends legislative, regulatory, or administrative remedies in cases where there are deficiencies in policy and issues not covered by precedent. Reviews incoming requests, contacting the requester as required for clarification. Researches requests, identifies legal issues, and analyzes whether there is any basis to assert an exemption to disclosure. Conducts extensive record searches and makes disclosure determinations. Drafts outgoing responses that ensure complete coverage of all issues, proper coordination with the appropriate parties, and compliance with FOIA regulations and policies.

Independently performs a variety of analytical and management support duties related to the administration of FEMA's FOIA and PA programs. Provides advice and assistance to FEMA Directorates, regions and offices on FOIA and PA requirements in making determination on request for information, documents and records.

Reviews FEMA documents and records proposed by FEMA directorates, regions and offices for release or withholding through the Office of General Counsel to ensure appropriateness of any deletions.

Drafts and signs responses consistent with established FOIA and PA policies and procedures. Reviews, as necessary proposed responses to FOIA and PA requests submitted by FEMA directorate, regions and offices for signature by the appropriate office head.

Works with and supports OGC and Department of Justice attorneys involved in administrative and court litigation, including EEO, MSPB, FLRA and all other personnel related matters which are administratively confidential and which may involve issues related to FOIA and PA.

Reviews, advises on, and conducts complex analyses, evaluations, or investigations in support of organizational programs, systems, and processes, including areas where definitions, methods, and/or data are incomplete, controversial, or uncertain, or where boundaries of the studies are extremely broad and difficult to determine in advance. Plans and conducts experimental analyses that result in new design guidelines, and have a profound effect on program or mission capabilities and/or operating procedures. Develops new methods and techniques to address novel or obscure problems for which guidelines or precedents are not substantially applicable. Documents and reports study results to management.

Provides advice and guidance on FOIA issues not covered by precedent. Interprets regulations and FEMA policy regarding release of information under the FOIA and Privacy Acts. Initiates contacts with paralegal, attorneys, high-ranking public officials, and members of the public to give technical and procedural guidance on FOIA issues that are without precedent.

Consults and coordinates with FEMA components and other agencies on unprecedented procedural problems to ensure consistent FOIA processing government wide. Stays abreast of all policies and procedures affecting records retrieval practices. Develops, organizes, and provides FEMA briefings and training programs on FOIA policy, regulations, and procedures. Incorporates developments in FOIA and Privacy Act law and legislation including recent court decisions and FEMA policies.

Independently researches, gathers and completes information in response to requests referred to OGC for response. Reviews information to determine its exempt or non-exempt status under FOIA or PA. Develops, implements, and manages the FOIA program for a major agency component such as a region or center. Meets with agency officials and legal counsel to determine the potential impact of FOIA activities on program operations. Makes recommendations to improve and streamline FOIA procedures.

Compiles FOIA response data for quality control and planning purposes. Annually prepares for agency headquarters a congressionally-mandated report delineating FOIA response costs. Establishes, cultivates, and maintains all necessary contacts with individuals and entities associated with agency FOIA programs.

Prepares and updates FEMA directives or instructions on issues arising out of the FOIA and PA. Makes recommendations for the improvement of, and ensures compliance with, FEMA's policies, procedures and guidelines regarding administration of the FOIA and PA.

Drafts PA statements and the notices of the System of Records for publication in the Federal Register as necessary. Drafts FEMA's/DHS's annual report to Congress on its implementation of the FOIA.

Advises agency officials of any incoming request which may warrant special attention or is deemed potentially controversial in nature and which should be coordinated with other offices to insure consistency of responses. Handles sensitive documents in accordance with Departmental policies and procedures. Provides program office with instructions on special handling if required. Participates in developing and disseminating policy and procedures regarding FEMA/DHS's FOIA regulations and policies.

Performs other duties as assigned and performs other related duties as needs dictate.

Factor 1, KNOWLEDGE REQUIRED BY THE POSITION Level 1-8 1550 Points

The position requires: (1) Mastery of the laws, policies, and regulations in the FOIA and PA administrative field sufficient to apply new theories and developments to problems not susceptible to treatment by accepted methods, and make decisions or recommendations that significantly change, interpret, or develop major public policies or programs; (2) Mastery of a wide range of methods for the assessment and improvement of complex programs, processes and systems; (3) Skill to plan, organize, and implement programs, plans, and proposals involving substantial agency resources, or that require extensive changes in established procedures; (4) Ability to recommend revisions to agency/department policies and regulations based on revisions to laws, court interpretations, etc.; (5) Skill in analyzing written requests for information to determine the nature of a request, its exempt or non-exempt status under FOIA and/or PA and the best source for the requested information; (6) Ability to perform research for and select information relevant to a request; (7) Ability to explain, both orally and in writing, the applicability or non-applicability of the FOIA and PA; (8) Proficiency in writing, editing and the correct usage of language; and (9) Ability to use a personal computer for a variety of tasks, including word processing and data entry and retrieval in an automated data base.

Factor 2, SUPERVISORY CONTROLS Level 2-5

650 Points

The supervisor provides administrative direction with assignments in terms of broadly defined missions or functions. The employee has responsibility for independently planning, designing, and carrying out programs, projects, studies, or other work. Results of the work are considered technically authoritative and are normally accepted without significant change. If the work should be reviewed, the review concerns such matters as fulfillment of program objectives, effect of advice and influence on the overall program, or the contribution to the advancement of technology. Recommendations for new projects

and alteration of objectives usually are evaluated for such considerations as availability of funds and other resources, broad program goals, or national priorities.

Factor 3, GUIDELINES Level 3-5

650 Points

Guidelines consist of general administrative policies and management and organizational theories which require considerable adaptation and/or interpretation for application to issues and problems studied. Administrative policies and precedent studies provide a basic outline of results desired, but do not go into detail as to the methods used to accomplish the project. Administrative guidelines usually cover program goals and objectives of the employing organization. Within the context of broad regulatory guidelines the employee may refine or develop more specific guidelines such as implementing regulations or methods.

Guidelines include statutes, regulations, FEMA policy and directives, DHS policy and directives, internal office procedures and precedent, and guidance provided by the supervisor and workgroup leader. Additionally, the incumbent provides guidelines and guidance in the form of FEMA directives, instructions and personal presentations. The incumbent is expected to use independent judgment in making decisions, using the knowledge required by the position. Guidelines do not always cover all work situations, which requires the incumbent to adapt to existing guidelines or, in some instances, to develop new guidelines.

Factor 4, COMPLEXITY Level 4-5

325 Points

The incumbent is responsible for analyzing interrelated issues of effectiveness, efficiency, and productivity of substantive mission-oriented programs. Develops detailed plans, goals, and objectives for both the long-range and the short-range implementation and administration of the program, and/or develops criteria for evaluating the effectiveness of the program. Decisions concerning planning, organizing and conducting studies are complicated by conflicting program goals and objectives. Assignments are complicated by the need to deal with subjective concepts, the quality and quantity of actions are measurable primarily in predictive terms, and findings and conclusions are highly subjective and not readily susceptible to verification through replication of study methods or reevaluation of results. Options, recommendations, and conclusions take into account and give appropriate weight to uncertainties about the data and other variables which affect long-range program performance.

Factor 5, SCOPE AND EFFECT Level 5-5

325 Points

Analyzes and evaluates major administrative aspects of substantive, mission-oriented programs. Develops long-range program plans, goals, objectives, and milestones or evaluates the effectiveness of programs conducted throughout an agency, or for a significant organizational segment of an agency, such as a Division, Office, Region, Center, or major field installation. Identifies and develops ways to resolve problems or cope with issues which directly affect the accomplishment of principal program goals and objectives.

Develops administrative regulations or guidelines for the conduct of program operations or new criteria for measuring program accomplishments. Processes the day to day requests and responses related to FOIA and PA matters.

Factor 6, PERSONAL CONTACTS Level 6-3

60 Points

Contacts are with persons outside the agency which may include consultants, contractors, or business executives in a moderately unstructured setting. Contacts are also with the Under Secretary and the Office of the Under Secretary, Department officials, program officials several managerial levels removed from the employee, and FOIA points of contact.

Factor 7, PURPOSE OF CONTACTS Level 7-3

120 Points

The purpose of contacts is to influence managers or other officials to accept and implement findings and recommendations on organizational improvement or program effectiveness. The purpose is also to assist agency personnel in properly and timely completing responses to FOIA requests and Privacy Act issues. May encounter resistance due to such issues as organizational conflict, competing objectives, or resource problems.

Factor 8, PHYSICAL DEMANDS Level 8-1

5 Points

The work is sedentary. However, some walking, bending and lifting of books and files is required in order to review, process or retire documents and/or files subject to requests under FOIA and PA. Incumbent is on 24-hour call for emergency assignments which may include disaster locating with attendant surroundings and physical requirements.

Factor 9, WORK ENVIRONMENT Level 9-1

5 Points

The work is typically performed in an adequately lighted and climate controlled office. However, it may include disaster environments and related working conditions.

Total Points 3690

Freedom of Information Act and Privacy Act Specialist, GS-0301-12

Position Number:

Organizational Code: Office of General Counsel

Organizational Location: Washington, DC

Introductory Statement: This position is located in the General Law Division, Office of General Counsel, Federal Emergency Management Agency (FEMA), Department of Homeland Security (DHS), where the incumbent serves as the FOIA/Privacy Specialist directly supporting the FEMA Freedom of Information Act (FOIA) and Privacy Act (PA) programs.

This Job Analysis Worksheet documents the job analysis for this position. It documents the relationship between the duties performed in this position and the KSAs to be used for recruiting purposes. It lists each major task, the corresponding KSA, the KSA rating, weight, whether it is essential to the job, and whether it distinguishes superior candidates from barely acceptable candidates.

1. KSA: Knowledge of the Freedom of Information Act (FOIA), the Privacy Act, related portions of the Code of Federal Regulations, and FOIA/Privacy Act policy and procedures.

OPERATIONAL DEFINITION: THE PERSON IN THIS POSITION MUST HAVE KNOWLEDGE OF THE FREEDOM OF INFORMATION ACT, THE PRIVACY ACT, RELATED PORTIONS OF THE CODE OF FEDERAL REGULATIONS, AND FOIA/PRIVACY ACT PROCEDURES IN ORDER TO DEVELOP APPROPRIATE RESPONSES TO FOIA/PRIVACY ACT REQUESTS.

Screen out KSA? no

KSA Weight: 1

MAJOR TASK:

Performs work related to the Freedom of Information Act (FOIA) and Privacy Act requests.

MAJOR TASK:

Provides advice and guidance to FEMA management, staff, and the public regarding disclosure of agency records under the Freedom of Information Act

(FOIA) and the Privacy Act.

MAJOR TASK:

Develops, implements, and manages the program to coordinate requests for information under the Freedom of Information Act (FOIA) and the Privacy Act.

2. KSA: Ability to communicate effectively orally.

OPERATIONAL DEFINITION: THE PERSON IN THIS POSITION MUST HAVE THE ABILITY TO COMMUNICATE EFFECTIVELY ORALLY IN BOTH FORMAL AND INFORMAL SETTINGS WITH PEERS, CONSULT WITH COLLEAGUES BOTH WITHIN AND OUTSIDE THE AGENCY, AND FORMALLY PRESENT INFORMATION ON FOIA AND PRIVACY ACT ISSUES AT OUTSIDE CONFERENCES AND IN AGENCY MEETINGS.

Screen out KSA? no

KSA Weight: 1

MAJOR TASK:

Develops, implements, and manages a program to coordinate responses to requests for information under the Freedom of Information Act (FOIA) and the Privacy Act.

MAJOR TASK:

Performs work related to Freedom of Information Act (FOIA) and Privacy Act requests.

MAJOR TASK:

Provides advice and guidance to management, staff, and the public regarding disclosure of agency records under the Freedom of Information Act (FOIA) and the Privacy Act.

3. KSA: Ability to communicate effectively in writing.

OPERATIONAL DEFINITION: THE PERSON IN THIS POSITION MUST HAVE THE ABILITY TO COMMUNICATE EFFECTIVELY IN WRITING IN PERFORMING ADMINISTRATIVE/PROGRAM SPECIALIST WORK TO CONVEY INFORMATION IN WRITTEN FORM SUCH AS CONTRACTS, REPORTS, LETTERS, OR DOCUMENTS.

Screen out KSA? no

KSA Weight: 1

MAJOR TASK:

Develops, implements, and manages a program that coordinates requests for information under the Freedom of Information Act (FOIA) and the Privacy Act.

MAJOR TASK:

Performs work related to Freedom of Information Act (FOIA) and Privacy Act requests.

MAJOR TASK:

Provides advice and guidance to FEMA's management, staff, and the public regarding disclosure of agency records under the Freedom of Information Act (FOIA) and the Privacy Act.

4. KSA: Ability to effectively plan, coordinate and execute work.

OPERATIONAL DEFINITION: THE PERSON IN THIS POSITION MUST HAVE THE ABILITY TO EFFECTIVELY PLAN, COORDINATE AND EXECUTE WORK SUFFICIENTLY INCLUDING BREAKING DOWN THE REQUIREMENTS OF THE ASSIGNED WORK INTO COMPONENTS/TASKS THAT ARE ACCOMPLISHED BY COORDINATING WITH FEMA PROGRAM EMPLOYEES IN RESPONDING TO FOIA/PRIVACY ACT RESPONSES IN A TIMELY MANNER.

Screen out KSA? no

KSA Weight: 1

MAJOR TASK:

Performs work related to Freedom of Information Act (FOIA) and Privacy Act requests.

MAJOR TASK:

Provides advice and guidance to management, staff, and the public regarding disclosure of agency records under the Freedom of Information Act (FOIA) and the Privacy Act.

MAJOR TASK:

Develops, implements, and manages a program to coordinate requests for information under the Freedom of Information Act (FOIA) and the Privacy Act.

Papoi, Catherine

From: Ortiz, Magda S (b)(2)(low)
Sent: Wednesday, August 16, 2006 6:23 AM
To: Papoi, Catherine
Subject: RE: Component FOIA Policy

Catherine, USCIS has not generated any FOIA policies that are not part of DHS.

Magda S. Ortiz
Chief
Information Disclosure Program
Office of Records Services
National Security & Records Verification
U.S. Citizenship and Immigration Services
phone: (b)(2)(low)
fax:

From: Papoi, Catherine [mailto:(b)(2)(low)]
Sent: Tuesday, August 15, 2006 8:37 AM
To: Avidan, Elliot; Christian, Cindy; Fields, Marshall H; Harrison, Barbara M; Hawkins, Donald K; Holzerland, William; Hudson, Reginald; Huff, Latita; Marshall, Gloria L; Ortiz, Magda S; Ovall, Jeffery; Ford Page, Sandy; Papoi, Catherine; Pavlik, Catrina TSA-FOIA; Sealing, Donna; Suzuki, Shari; Taylor, Donald; Worthy, Gayle; Zimmerman-Pate, Marty
Cc: Papoi, Catherine
Subject: Component FOIA Policy

For those of you that sent your Component's FOIA policies last Friday, as requested, thank you. For those that did not, please send me an email indicating when I can expect to receive the information. Thanks.

-Catherine

Catherine Papoi, J.D.
Acting Director, Departmental Disclosure & FOIA
Privacy Office
Department of Homeland Security
Phone: (571) 227-3813/Fax: (571) 227-1125

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Papoi, Catherine

From: Holzerland, William [(b)(2)(low)]
Sent: Tuesday, August 15, 2006 9:37 AM
To: Papoi, Catherine
Subject: RE: Component FOIA Policy

Hi Catherine,

The OIG currently has no formal FOIA policy documents, beyond the existing DHS Management Directive and DHS regs. We currently have no plans to issue any internal FOIA policy documents.

regards,
Bill

-----Original Message-----

From: Papoi, Catherine [mailto:(b)(2)(low)]
Sent: Tuesday, August 15, 2006 8:37 AM
To: Avidan, Elliot; Christian, Cindy; Fields, Marshall H; Harrison, Barbara M; Hawkins, Donald K; Holzerland, William; Hudson, Reginald; Huff, Latita; Marshall, Gloria L; Ortiz, Magda S; Ovall, Jeffery; Ford Page, Sandy; Papoi, Catherine; Pavlik, Catrina TSA-FOIA; Sealing, Donna; Suzuki, Shari; Taylor, Donald; Worthy, Gayle; Zimmerman-Pate, Marty
Cc: Papoi, Catherine
Subject: Component FOIA Policy

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-Catherine

Catherine Papoi, J.D.
Acting Director, Departmental Disclosure & FOIA
Privacy Office
Department of Homeland Security
Phone: (571) 227-3813/Fax: (571) 227-1125

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Papoi, Catherine

From: Holzerland, William (b)(2)(low)
Sent: Thursday, August 17, 2006 10:23 AM
To: Papoi, Catherine
Subject: OIG SA Handbook
Attachments: OIG Agent's handbook .pdf

Hi Catherine,

In the FOIA policy realm, we did find mention of FOIA/PA in the Office of Investigations' Special Agent Handbook. I thought I would pass it on, as it may count as "internal FOIA policy". It's not much, but I thought it worth sending.

regards,

Bill

<<OIG Agent's handbook .pdf>>

William H. Holzerland
U.S. Department of Homeland Security
OIG/Office of Counsel

(b)(2)(low)

Papoi, Catherine

From: Pavlik, Catrina <TSA-FOIA> (b)(2)(low)
Sent: Tuesday, August 15, 2006 11:10 AM
To: Papoi, Catherine
Subject: RE: Component FOIA Policy
Attachments: FOIASOP4.26.06.doc

Our management directive is being concurred upon right now internally. Once completed, I will get to you and Hugo for concurrence which should be in the next two weeks approximately. In addition, Here is our internal SOP. This will also be modified (once all bugs are flushed out) due to the fact that we are beginning to go paperless and maintain documents on CD ROMs and within the computer systems as attachments.

From: Papoi, Catherine
Sent: Tuesday, August 15, 2006 8:37 AM
To: Avidan, Elliot; Christian, Cindy; Fields, Marshall H; Harrison, Barbara M; Hawkins, Donald K; Holzerland, William; Hudson, Reginald; Huff, Latita; Marshall, Gloria L; Ortiz, Magda S; Oval, Jeffery; Ford Page, Sandy; Papoi, Catherine; Pavlik, Catrina TSA-FOIA; Sealing, Donna; Suzuki, Shari; Taylor, Donald; Worthy, Gayle; Zimmerman-Pate, Marty
Cc: Papoi, Catherine
Subject: Component FOIA Policy

For those of you that sent your Component's FOIA policies last Friday, as requested, thank you. For those that did not, please send me an email indicating when I can expect to receive the information. Thanks.

-Catherine

Catherine Papoi, J.D.
Acting Director, Departmental Disclosure & FOIA
Privacy Office
Department of Homeland Security
Phone: (571) 227-3813/Fax: (571) 227-1125

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8/16/2006

Papoi, Catherine

From: OPStasking (b)(2)(low)
Sent: Monday, August 14, 2006 9:48 AM
To: Papoi, Catherine
Cc: Marshall, Gloria L
Subject: ACTION ITEM FOR DHS Privacy Office

Importance: High

Attachments: DRO SAMPLE EXPEDITED TREATMENT DENIAL.doc; DRO Admin Appeal Sheet.doc; DRO SAMPLE FEE WAIVER DENIAL.doc; DRO SAMPLE PERJURY STMT ACK.doc; DRO SampleWording.doc; DRO Billing Data Sheet.doc; DRO SAMPLE NO RECORDS RESPONSE.doc; DRO Admin Closure.doc

-----Original Message-----

From: Marshall, Gloria L
Sent: Friday, August 11, 2006 2:39 PM
To: OPStasking
Cc: Gaudio, Giovanni; Fields, Marshall H; Rittenberg, Scot R
Subject: ACTION ITEM FOR DHS Privacy Office
Importance: High



DRO SAMPLE
EDITED TREATMEN



DRO Admin Appeal
Sheet.doc (30...



DRO SAMPLE FEE
WAIVER DENIAL.d...



DRO SAMPLE



DRO



DRO Billing Data
Sheet.doc (30...



DRO SAMPLE NO
RECORDS RESPONSE



DRO Admin
Closure.doc (53 KB)

PLEASE FORWARD TO CATHERINE PAPOI, ACTING DEPARTMENTAL DISCLOSURE OFFICER

Good Afternoon,

The DHS Privacy Office requested all existing FOIA/PA guidance issued by ICE. We have attached samples of documents we prepared for ICE's Detention and Removal Operations. ICE follows the DHS FOIA Regulations, together with the FOIA Statute and the Freedom of Information Act Guide and Privacy Act Overview authored by the Office of Information and Privacy, Department of Justice.

Additionally, FOIA Training Books for our FOIA Training Conference August 22 are being prepared and we will provide a copy of the complete training book. All ICE FOIA processors received initial FOIA training by ICE FOIA.(Information Disclosure Unit). All FOIA Coordinators in the 26 SAC offices have been trained and received the books, guides, etc. indicated above or will receive the updated versions at the August 22 training.

ICE has sent out various emails to Chief Counsels regarding FOIA matters and those emails, together with the Training Book will be delivered to the Privacy Office on Thursday, August 17.

Thanks Much,

"gloria"

**Gloria L. Marshall, Chief
Information Disclosure Unit
U.S. Immigration and Customs Enforcement (ICE)
United States Department of Homeland Security
425 I Street, NW - Room 4038, Washington, DC 20536**

(b)(2)(low) office | (b)(2)(low) fax | (b)(2)(low) cell | (b)(2)(low)

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Immigration And Customs Enforcement

Department: Department Of Homeland Security
Agency: Immigration and Customs Enforcement
Job Announcement Number:
LAG-AST-122000-ET-275

Overview

DETAILED VERSION

CLOSE

POST

FREEDOM OF INFORMATION ACT (DIRECTOR)

Salary Range: 107,521.00 - 139,774.00 USD per year

Series & Grade: GS-0301-15

Promotion Potential: 13

Who May Be Considered:

Status Candidates (Merit Promotion Elig)

Job Summary:

This position supports our mission to prevent acts of terrorism by targeting the people, money, and materials that support terrorist and criminal activities. Our vision is to be the nation's preeminent law enforcement agency, dedicated to detecting vulnerabilities and preventing violations that threaten national security. Immigration and Customs Enforcement (ICE) was established to combat the criminal and national security threats emergent in a post 9/11 environment.

Open Period: Tuesday, October 03, 2006
to Tuesday, October 24, 2006

Position Information: Full Time Career/Career
Conditional

Duty Locations: 1 vacancy - Washington, DC

Who May Apply:

Current Federal employees serving on a career or career-conditional appointment and former Federal employees with reinstatement eligibility.

Current and former Federal employees who meet the established criteria in an Office of Personnel Management Interchange Agreement.

Veterans who are preference eligibles or who have been separated under honorable conditions after 3 years or more of continuous service will receive consideration under the Veterans Employment Opportunity Act (VEOA).

Organizational Location: This position is located in the Office of the Assistant Secretary, Immigration and Customs Enforcement, Washington, D.C.

Relocation Expenses: Relocation expenses will not be paid.

Notes: One or more positions may be filled using this vacancy announcement.

Questionnaire/Supporting Documents: The Questionnaire and all supporting documents must be

submitted and received by 12:00 Midnight EDT on the closing date of this announcement Tuesday, October 24, 2006.

Applications and supporting documentation will NOT be accepted by mail or email. The address listed below is for inquiries only.

Key Requirements:

- U.S. Citizenship
- Background Security Investigation
- Drug Screening

Duties

Major Duties:

You will serve as the principal advisor to the Assistant Secretary and Deputy Assistant Secretaries on all matters relating to the public disclosure of information. You will formulate and implement policy as it relates to the Freedom of Information Act (FOIA)/Privacy Act (PA). You will participate with Immigration and Customs Enforcement (ICE) and/or Department of Homeland Security (DHS) attorneys in any litigation which challenges the initial or appeal determination with respect to FOIA/PA requests. You will make recommendations to senior management, or to senior Department staff on behalf of ICE, to resolve conflicts and to promote the effective implementation of ICE plans, programs and priorities. Oversees the preparation of statistical reports both for Congress and internal use to reflect ICE activities under the FOIA/PA during each fiscal year.

You will plan work to be accomplished by subordinates, sets goals and priorities, and prepares schedules for completion of work. You will assign work to subordinates based on difficulty of assignments and staff capabilities. You will perform the administrative and human resource management functions relative to the staff supervised. You will resolve informal complaints and grievances. You will develop work improvement plans, recommending personnel actions as necessary. You will provide advice and counsel to workers related to work and administrative matters. You will be responsible for furthering the goals of equal employment opportunity (EEO) by taking positive steps to assure the accomplishment of affirmative action objectives and by adhering to nondiscriminatory employment practices in regards to race, color, religion, sex, national origin, age, or handicap.

Qualifications and Evaluation

Qualifications:

GS-15: You qualify at the GS-15 level if you possess one (1) year of specialized experience that equipped you with the skills needed to perform the job duties. This experience must have been equivalent to at least the GS-14 level. Examples includes performing, assigning and reviewing the compilation, analysis, indexing and overall handling of pertinent material and information in accordance with the ACTS; supervising a highly technical and complex administrative program that conducts the most difficult complex and difficult research projects and assignments pursuant to requests for information under the Freedom of Information/Privacy Acts.

Education requirements: No specialized educational requirements for this position.



Requirements:

U.S. Citizenship: Candidates must be United States citizens and present proof of citizenship, if selected.

Time in Grade: Time in grade restrictions must be met by the closing date of this announcement. Applicants must have at least 52 weeks of service equivalent to the next lower grade level in the normal line of progression for the position to be filled.

Qualifications by Closing Date: Unless otherwise noted, you must meet all qualification and eligibility requirements by the closing date of the announcement Tuesday, October 24, 2006.

Background Security Investigation: You will need to successfully complete a background security investigation before you can be appointed into this position.

Drug Testing: You must submit to a drug test and receive a negative drug test result before you can be appointed into this position. After appointment, you will be subject to random testing for illegal drug use.

Supervisory/Managerial Probationary Period: You may be required to serve a twelve month probationary period upon appointment to this position. You may also be required to complete an appropriate supervisory training course within one year of assignment to this position.

**How You Will Be Evaluated:
Evaluations**

You will be evaluated based upon the responses you provide on the job specific questionnaire that is required as part of the application process for this position. You will be rated based on your responses and assigned a score ranging from 70 to 100 points. Candidates will be referred for selection in accordance with the terms of the agency merit promotion plan.

All the information you provide may be verified by a review of the work experience and/or education as shown on your application forms, by checking references and through other means, such as the interview process. This verification could occur at any stage of the application process. Any exaggeration of your experience, false statements, or attempts to conceal information may be grounds for rating you ineligible, not hiring you, or for firing you after you begin work.

Benefits and Other Information

**Benefits:
Benefits**

The Federal government offers a number of exceptional benefits to its employees. These benefits include, but are not limited to: health care, life insurance, flexible spending and dependent care accounts, annual and sick leave, long-term care insurance, and retirement savings plans, and transit subsidies. For more information about these benefits, please visit <http://www.usajobs.opm.gov/e161.asp>

Other Information:

Other Information

Individuals who have special priority selection rights under the Agency Career Transition Assistance Program (CTAP) or the Interagency Career Transition Assistance Program (ICTAP)

must be well qualified for the position to receive consideration for special priority selection. To be well-qualified and exercise selection priority for this vacancy, displaced Federal employees must be rated at 85 or above on the rating criteria for this position. For those instances where the best qualified lists include applicants with scores less than 85, the well-qualified score becomes the lowest score on the best qualified list. CTAP and ICTAP eligibles must submit one of the following as proof of eligibility for the special selection priority: a separation notice; a "Notice of Personnel Action" (SF-50) or equivalent that documents separation; an agency certification that you cannot be placed after injury compensation has been terminated; an OPM notification that your disability annuity has been terminated; OR a Military Department or National Guard Bureau notification that you are retired under 5 U.S.C. 8337(h) or 8456.

If you are a current career or career-conditional Federal employee or former Federal employee who has reinstatement eligibility, you may be required, at a later date, to submit additional documentation that supports your claim and reflects career or career-conditional tenure. If you are unable to provide the required documentation, you will not be given further consideration under this announcement.

If you are filing under the VEOA (Veterans Employment Opportunity Act) or the VRA (Veterans Recruitment Authority), you must include in your application package a copy of your DD-214 or other proof of eligibility. If you are still on active duty, you may submit a statement of service from your unit which states the date you entered active duty, the date you are separating, and the campaign medals you have received. For more information on the VEOA and VRA, consult the Vets Guide at: <http://www.opm.gov/veterans/html/vetguide.htm>

Promotion Potential: When promotion potential is shown, the agency is not making a commitment and is not obligated to provide future promotions to you if you are selected. Future promotions will be dependant on your ability to perform the duties at a higher level, the continuing need for an employee assigned to the higher level, and administrative approval.

If this is a supervisory position, under provisions of the Civil Service Reform Act, first time supervisors and/or managers will be required to serve a 1-year probationary period. You may also be required to complete an appropriate supervisory training course within the one year of assignment to this position.

You must submit all required information by the closing date. If materials are not received, your application will be evaluated solely on the information available and you may not receive full consideration or may not be considered eligible. Also, if you do not provide an email address, you will not be notified of the outcome of your application.

All agency employees are required to participate in Direct Deposit/Electronic Funds Transfer for salary payments.

Equal Employment Opportunity: The agency is an Equal Opportunity Employer. All candidates will be considered regardless of their race, color, religion, sex, national origin, age, sexual orientation, protected genetic information, status as a parent, lawful political affiliation, marital status, physical/mental disability (if not a job factor), membership or non-membership in an employee organization, or any other nonmerit factor.

Applicants requiring reasonable accommodations for any part of the application and hiring process should contact the Human Resources Office Representative listed on this announcement. Determinations on requests for reasonable accommodation will be made on a case-by-case basis.

Important! All the information you provide may be verified by a review of the work experience

5

and/or education as shown on your application forms, by checking references and through other means, such as the interview process. Any exaggeration of your experience, false statements, or attempts to conceal information may be grounds for not hiring you, or for firing you after you begin work.

How to Apply

How To Apply:

You must complete the online occupational questionnaire and submit a resume to receive consideration for this vacancy announcement. Please be sure to respond to all questions in the online questionnaire. Omissions or errors may affect your rating or result in your being rated ineligible.

To start a new occupational questionnaire, click the link below. Once you have completed the occupational questionnaire select the "Finish" button. At the next screen click the "Submit" button.

<https://www.hr-services.org/usasonlineapp/usasonlineapp.aspx>

To save an incomplete occupational questionnaire and return later, click the "Save" button at the top or bottom of each of the pages and click the "Logout" button.

To return later to complete an occupational questionnaire, click the link below

<https://www.hr-services.org/usasonlineapp/usasonlineapp.aspx> and complete the requested information on the right hand side of the screen. Once you have completed the occupational questionnaire click the "Finish" button. At the next screen click the "Submit" button.

To upload a resume or other document

1. After you have clicked the submit button you may upload your resume. Click the "To upload a resume for this position click here" button.
2. At the Document Upload screen, select the type of document you are attaching for upload from the drop down menu on the left side of the screen.
3. Click the "Browse" button and attach the file you want to submit.
4. Click the "Upload" button to submit the document file. You will receive an "Upload Successful" acknowledgement when the file has been received.

To fax a resume or other document

Click on the link below to obtain the special application cover page.

<http://staffing.com.gov/pdf/usacover.pdf>. Make sure that you include the 8-character vacancy identification number ML122888, your name, and SSN in the blocks provided or we will not be able to associate your resume with the rest of your application.

The fax number is 1-478-757-3144.

Please note, if you wish to use your USAJOBS resume, print the resume and fax this to 1-478-757-3144.

To verify everything you submitted is successfully received, follow these steps: (These steps can only be used while the announcement is open.)

1. Go to <https://www.hr-services.org/usasonlineapp/usasonlineapp.aspx> and log in using the box on the right hand side of the page.
2. Click the radio button for this Vacancy Identification Number: ML122888 Click *Select a Vacancy*.
3. Make sure that all of your documents appear on the table with a status of *Processed*.



Required Documents: Required Documents

In addition to completing an on-line questionnaire and submitting an on-line resume, the following supporting documents must be received by the closing date of this announcement.

Veterans' documentation if filing under VEOA, VRA or claiming veterans' preference (e.g., DD-214 or statement of service, VA letter, SF-15). If you are filing under the VEOA (Veterans Employment Opportunity Act) or the VRA (Veterans Recruitment Authority), you must include in your application package a copy of your DD-214 or other proof of eligibility. If you are still on active duty, you may submit a statement of service from your unit which states the date you entered active duty, the date you are separating, and the campaign medals you have received. For more information on the VEOA and VRA, consult the Vets Guide at: <http://www.opm.gov/veterans/html/vetguide.asp>

Transcripts if basing your qualifications on education. This education must be from an institution accredited by an accrediting agency recognized by the U.S. Department of Education.

Proof of Eligibility if applying for consideration under a priority selection program (e.g., CTAP/ICTAP) or a special appointing authority. Individuals who have special priority selection rights under the Agency Career Transition Assistance Program (CTAP) or the Interagency Career Transition Assistance Program (ICTAP) must be well qualified for the position to receive consideration for special priority selection. To be well-qualified and exercise selection priority for this vacancy, displaced Federal employees must be rated at 85 or above on the rating criteria for this position. For those instances where the best qualified lists include applicants with scores less than 85, the well-qualified score becomes the lowest score on the best qualified list. CTAP and ICTAP eligibles must submit one of the following as proof of eligibility for the special selection priority: a separation notice; a "Notice of Personnel Action" (SF-50) or equivalent that documents separation; an agency certification that you cannot be placed after injury compensation has been terminated; an OPM notification that your disability annuity has been terminated; OR a Military Department or National Guard Bureau notification that you are retired under 5 U.S.C. 8337(h) or 8458.

Proof of Eligibility if applying for consideration under the Office of Personnel Management Interchange Agreement. Individuals requesting consideration under the Office of Personnel Management Interchange Agreement must submit proof of eligibility such as a Notice of Personnel Action, a separation notice, or other appropriate documentation.

Your application and all supporting documentation must be received by 12:00 midnight (Eastern Time) on the closing date. Note that you will be allowed to apply more than once but the last application is the only one that will be used.

Applications and supporting documentation will not be accepted by mail. If you are unable to apply on-line, contact the Human Resources Office representative listed on this announcement at least one day prior to the closing date for further instructions.

Contact Information:

Rizalina T. Takada
Phone: (949)360-3025
Email: Riza.Takada@dhs.gov

Or write:
Laguna Service Center
24000 Avila Road 5th Floor
Laguna Niguel, CA 92677
USA

**What To Expect Next:
What To Expect Next**

We expect to make a selection within 90 days of the closing date of this announcement. You will be notified of the outcome. If further evaluation or interviews are required you will be contacted.

EEO Policy Statement

The United States Government does not discriminate in employment on the basis of race, color, religion, sex, national origin, political affiliation, sexual orientation, marital status, disability, age, membership in an employee organization, or other non-merit factor.

Reasonable Accommodation Policy Statement

Federal agencies must provide reasonable accommodation to applicants with disabilities where appropriate. Applicants requiring reasonable accommodation for any part of the application and hiring process should contact the hiring agency directly. Determinations on requests for reasonable accommodation will be made on a case-by-case basis.



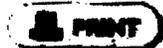
Send Mail

Send Mail to:
Laguna Service Center
24000 Avila Road 5th Floor
Laguna Niguel, CA 92677
USA

Questions?

For questions about this job:
Rizalina T. Takeda
Phone: (949)360-3025
Email: Riza.Takeda@dhs.gov

USAJOBS Control Number: 750754



Immigration And Customs Enforcement

Department: Department Of Homeland Security
 Agency: Immigration and Customs Enforcement
 Job Announcement Number:
 LAG-AST-123863-RT-284

Overview



PARALEGAL SPECIALIST (FOIA/PA)

Salary Range: 44,856.00 - 64,559.00 USD per year

Open Period: Friday, October 20, 2006
to Friday, November 10, 2006

Series & Grade: GS-0950-09/12

Position Information: Full Time Career/Career
Conditional

Promotion Potential: 12

Duty Locations: Few vacancies - Washington, DC

Who May Be Considered:
Status Candidates (Merit Promotion Elig)

Job Summary:

This position supports our mission to prevent acts of terrorism by targeting the people, money, and materials that support terrorist and criminal activities. Our vision is to be the nation's preeminent law enforcement agency, dedicated to detecting vulnerabilities and preventing violations that threaten national security. Immigration and Customs Enforcement (ICE) was established to combat the criminal and national security threats emergent in a post 9/11 environment.

Who May Apply:

Current Federal employees serving on a career or career-conditional appointment.

Current and former Federal employees within the local commuting area who meet the established criteria in an Office of Personnel Management Interchange Agreement.

Veterans who are preference eligibles or who have been separated under honorable conditions after 3 years or more of continuous service will receive consideration under the Veterans Employment Opportunity Act (VEOA).

Organizational Location: This position is located in the Office of the Assistant Secretary, Department of Homeland Security, Immigration and Customs Enforcement, Washington, D.C.

Relocation Expenses: Relocation expenses will not be paid.

Note: One or more positions may be filled using this vacancy announcement.

Questionnaire/Supporting Documents: The Questionnaire and all supporting documents must be submitted and received by 12:00 Midnight EDT on the closing date of this announcement Friday,



November 10, 2006.

Applications and supporting documentation will NOT be accepted by mail or email. The address listed below is for inquiries only.

Key Requirements:

- U.S. Citizenship
- Background Security Investigation
- Drug Screening

Duties

Major Duties:

You will review outgoing FOIA/PA responses to ensure proper coordination with appropriate parties, compliance with FOIA/PA regulations and policies, and ensure full response to the request. You will research and analyze legal issues that arise in conjunction with handling complex initial requests for agency records. You will perform legal administrative duties concerning hearings, appeals, litigation and advisory services. You will provide guidance regarding FOIA/PA regulations, disclosure of agency records, exemptions from full or partial disclosure, and confidential business information. You will prepare necessary correspondence to substantiate the reasons for denying request. You will process classified documents in accordance with policy and different levels of government security classification regulations. You will confer and negotiate with managers and their staffs at all levels, both within the Department of Homeland Security (DHS) and other government agencies, requesters of FOIA/PA legal/policy questions that arise in the context of processing requests. You will examine case files prepared by other paralegal specialists in the unit to determine issues and sufficiency of evidence and documentation.

Qualifications and Evaluation

Qualifications:

GS-9: You qualify at the GS-9 level if you possess one (1) year of specialized experience that equipped you with the skills needed to perform the job duties. This experience must have been equivalent to at least the GS-7 grade level. Examples include preparing affidavits, litigation reports, correspondence, notices, internal memoranda, or other documentation as necessary; ability to gather information and discuss the processing of information with individuals at various levels within and outside the agency.

GS-11: You qualify at the GS-11 level if you possess one (1) year of specialized experience that equipped you with the skills needed to perform the job duties. This experience must have been equivalent to at least the GS-9 grade level. Examples include expert knowledge of analytical and evaluative methods in order to research, interpret, and apply a vast number of FOIA/PA statutes and precedents when denying access to information and to determine the impact of the released information on agency operations.

GS-12: You qualify at the GS-12 level if you possess one (1) year of specialized experience that equipped you with the skills needed to perform the job duties. This experience must have been equivalent to at least the GS-11 grade level. Examples include experience researching legislative history/precedent cases/decisions applicable to FOIA/PA cases for information and substantiating the rationale for action taken in event of appeal; analyzing and evaluating evidence or questions related to FOIA/PA programs; and investigating the details involved in a FOIA/PA matter, determining data needs and evaluating the sufficiency of that data.

EDUCATION:

GS-9: You may substitute a Master's degree or 2 full years of graduate education in a qualifying field or a L.L.B./J.D. degree for the experience required at the GS-9 grade level. A course of study in the natural or social sciences, engineering, or military science is qualifying. Such education must have been obtained in an accredited college or university and demonstrate the skills necessary to do the work. Check with your school to determine how many credit hours comprise two years of graduate education. If that information is not available, use 36 semester or 54 quarter hours.

GS-11: You may substitute a doctoral degree or three full years of progressively higher-level graduate education leading to such a degree in a qualifying field for experience at the GS-11 grade level. Such education must have been obtained in an accredited college or university and demonstrate the knowledge, skills, and abilities necessary to do the work of this position. Check with your school to determine how many credit hours comprise three years of graduate study. If that information is not available, use 54 Semester or 81 quarter hours.

Appropriate combinations of successfully completed post-high school education and experience also may be used to meet the total qualification requirements for the GS-9 and 11 grade levels. (Refer to the U.S. Customs and Border Protection web site at www.cbp.gov for information on how to combine experience and education.

Requirements:

U.S. Citizenship: Candidates must be United States citizens and present proof of citizenship, if selected.

Time in Grade: Time in grade restrictions must be met by the closing date of this announcement. Applicants must have at least 52 weeks of service equivalent to the next lower grade level in the normal line of progression for the position to be filled.

Qualifications by Closing Date: Unless otherwise noted, you must meet all qualification and eligibility requirements by the closing date of the announcement Friday, November 10, 2006.

Background Security Investigation: You will need to successfully complete a background security investigation before you can be appointed into this position.

Drug Testing: You must submit to a drug test and receive a negative drug test result before you can be appointed into this position. After appointment, you will be subject to random testing for illegal drug use.

How You Will Be Evaluated:**Evaluations**

You will be evaluated based upon the responses you provide on the job specific questionnaire that is required as part of the application process for this position. You will be rated based on your responses and assigned a score ranging from 70 to 100 points. Candidates will be referred for selection in accordance with the terms of the agency merit promotion plan.

All the information you provide may be verified by a review of the work experience and/or education as shown on your application forms, by checking references and through other means, such as the interview

process. This verification could occur at any stage of the application process. Any exaggeration of your experience, false statements, or attempts to conceal information may be grounds for rating you ineligible, not hiring you, or for firing you after you begin work.

Benefits and Other Information

Benefits:

Benefits

The Federal government offers a number of exceptional benefits to its employees. These benefits include, but are not limited to: health care, life insurance, flexible spending and dependent care accounts, annual and sick leave, long-term care insurance, and retirement savings plans, and transit subsidies. For more information about these benefits, please visit <http://www.usajobs.opm.gov/ei61.asp>

Other Information:

Other Information

Individuals who have special priority selection rights under the Agency Career Transition Assistance Program (CTAP) or the Interagency Career Transition Assistance Program (ICTAP) must be well qualified for the position to receive consideration for special priority selection. To be well-qualified and exercise selection priority for this vacancy, displaced Federal employees must be rated at 85 or above on the rating criteria for this position. For those instances where the best qualified lists include applicants with scores less than 85, the well-qualified score becomes the lowest score on the best qualified list. CTAP and ICTAP eligibles must submit one of the following as proof of eligibility for the special selection priority: a separation notice; a "Notice of Personnel Action" (SF-50) or equivalent that documents separation; an agency certification that you cannot be placed after injury compensation has been terminated; an OPM notification that your disability annuity has been terminated; OR a Military Department or National Guard Bureau notification that you are retired under 5 U.S.C. 8337(h) or 8456.

If you are a current career or career-conditional Federal employee or former Federal employee who has reinstatement eligibility, you may be required, at a later date, to submit additional documentation that supports your claim and reflects career or career-conditional tenure. If you are unable to provide the required documentation, you will not be given further consideration under this announcement.

If you are filing under the VEOA (Veterans Employment Opportunity Act) or the VRA (Veterans Recruitment Authority), you must include in your application package a copy of your DD-214 or other proof of eligibility. If you are still on active duty, you may submit a statement of service from your unit which states the date you entered active duty, the date you are separating, and the campaign medals you have received. For more information on the VEOA and VRA, consult the Vets Guide at: <http://www.opm.gov/veterans/html/vetguide.htm>

Promotion Potential: When promotion potential is shown, the agency is not making a commitment and is not obligated to provide future promotions to you if you are selected. Future promotions will be dependent on your ability to perform the duties at a higher level, the continuing need for an employee assigned to the higher level, and administrative approval.

If this is a supervisory position, under provisions of the Civil Service Reform Act, first time supervisors and/or managers will be required to serve a 1-year probationary period. You may also be required to complete an appropriate supervisory training course within the one year of assignment to this position.

You must submit all required information by the closing date. If materials are not received,

your application will be evaluated solely on the information available and you may not receive full consideration or may not be considered eligible. Also, if you do not provide an email address, you will not be notified of the outcome of your application.

All agency employees are required to participate in Direct Deposit/Electronic Funds Transfer for salary payments.

Equal Employment Opportunity: The agency is an Equal Opportunity Employer. All candidates will be considered regardless of their race, color, religion, sex, national origin, age, sexual orientation, protected genetic information, status as a parent, lawful political affiliation, marital status, physical/mental disability (if not a job factor), membership or non-membership in an employee organization, or any other nonmerit factor.

Applicants requiring reasonable accommodations for any part of the application and hiring process should contact the Human Resources Office Representative listed on this announcement. Determinations on requests for reasonable accommodation will be made on a case-by-case basis.

Important! All the information you provide may be verified by a review of the work experience and/or education as shown on your application forms, by checking references and through other means, such as the interview process. Any exaggeration of your experience, false statements, or attempts to conceal information may be grounds for not hiring you, or for firing you after you begin work.

How to Apply

How To Apply:

You must complete the online occupational questionnaire and submit a resume to receive consideration for this vacancy announcement. Please be sure to respond to all questions in the online questionnaire. Omissions or errors may affect your rating or result in your being rated ineligible.

To start a new occupational questionnaire, click the link below. Once you have completed the occupational questionnaire select the "Finish" button. At the next screen click the "Submit" button.
<https://www.hr-services.org/usasonlineapp/usasonlineapp.aspx>

To save an incomplete occupational questionnaire and return later, click the "Save" button at the top or bottom of each of the pages and click the "Logout" button.

To return later to complete an occupational questionnaire, click the link below <https://www.hr-services.org/usasonlineapp/usasonlineapp.aspx> and complete the requested information on the right hand side of the screen. Once you have completed the occupational questionnaire click the "Finish" button. At the next screen click the "Submit" button.

To upload a resume or other document

1. After you have clicked the submit button you may upload your resume. Click the "To upload a resume for this position click here" button.
2. At the Document Upload screen, select the type of document you are attaching for upload from the drop down menu on the left side of the screen.
3. Click the "Browse" button and attach the file you want to submit.
4. Click the "Upload" button to submit the document file. You will receive an "Upload Successful"

acknowledgement when the file has been received.

To fax a resume or other document

Click on the link below to obtain the special application cover page.

<http://staffing.opm.gov/pdf/usseccover.pdf>. Make sure that you include the 8-character vacancy identification number ML123963, your name, and SSN in the blocks provided or we will not be able to associate your resume with the rest of your application.
The fax number is 1-476-757-3144.

Please note, if you wish to use your USAJOBS resume, print the resume and fax this to 1-476-757-3144.

To verify everything you submitted is successfully received, follow these steps: (These steps can only be used while the announcement is open.)

1. Go to <https://www.hr-services.org/usasonlineapp/usasonlineapp.aspx> and log in using the box on the right hand side of the page.
2. Click the radio button for this Vacancy Identification Number: ML123963 Click *Select a Vacancy*.
3. Make sure that all of your documents appear on the table with a status of *Processed*.

Required Documents:

Required Documents

In addition to completing an on-line questionnaire and submitting an on-line resume, the following supporting documents must be received by the closing date of this announcement.

Veterans' documentation if filing under VEOA, VRA or claiming veterans' preference (e.g., DD-214 or statement of service, VA letter, SF-15). If you are filing under the VEOA (Veterans Employment Opportunity Act) or the VRA (Veterans Recruitment Authority), you must include in your application package a copy of your DD-214 or other proof of eligibility. If you are still on active duty, you may submit a statement of service from your unit which states the date you entered active duty, the date you are separating, and the campaign medals you have received. For more information on the VEOA and VRA, consult the Vets Guide at: <http://www.opm.gov/veterans/html/vetguide.asp>

Transcripts if basing your qualifications on education. This education must be from an institution accredited by an accrediting agency recognized by the U.S. Department of Education.

Proof of Eligibility if applying for consideration under a priority selection program (e.g., CTAP/ICTAP) or a special appointing authority. Individuals who have special priority selection rights under the Agency Career Transition Assistance Program (CTAP) or the Interagency Career Transition Assistance Program (ICTAP) must be well qualified for the position to receive consideration for special priority selection. To be well-qualified and exercise selection priority for this vacancy, displaced Federal employees must be rated at 85 or above on the rating criteria for this position. For those instances where the best qualified lists include applicants with scores less than 85, the well-qualified score becomes the lowest score on the best qualified list. CTAP and ICTAP eligibles must submit one of the following as proof of eligibility for the special selection priority: a separation notice; a "Notice of Personnel Action" (SF-50) or equivalent that documents separation; an agency certification that you cannot be placed after injury compensation has been terminated; an OPM notification that your disability annuity has been terminated; OR a Military Department or National Guard Bureau notification that you are retired under 5 U.S.C. 8337(h) or 8456.

Proof of Eligibility if applying for consideration under the Office of Personnel Management Interchange Agreement. Individuals requesting consideration under the Office of Personnel Management Interchange Agreement must submit proof of eligibility such as a Notice of Personnel Action, a separation notice, or other appropriate documentation.

Your application and all supporting documentation must be received by 12:00 midnight (Eastern Time) on the closing date. Note that you will be allowed to apply more than once but the last application is the only one that will be used.

Applications and supporting documentation will not be accepted by mail. If you are unable to apply on-line, contact the Human Resources Office representative listed on this announcement at least one day prior to the closing date for further instructions.

Contact Information:

HR Assistant
Phone: (949)360-3058
Email: Hrasstdro@dhs.gov

Or write:
Laguna Service Center
24000 Avila Road 5th Floor
Laguna Niguel, CA 92677
USA

What To Expect Next:***What To Expect Next***

We expect to make a selection within 90 days of the closing date of this announcement. You will be notified of the outcome. If further evaluation or interviews are required you will be contacted.

EEO Policy Statement

The United States Government does not discriminate in employment on the basis of race, color, religion, sex, national origin, political affiliation, sexual orientation, marital status, disability, age, membership in an employee organization, or other non-merit factor.

Reasonable Accommodation Policy Statement

Federal agencies must provide reasonable accommodation to applicants with disabilities where appropriate. Applicants requiring reasonable accommodation for any part of the application and hiring process should contact the hiring agency directly. Determinations on requests for reasonable accommodation will be made on a case-by-case basis.

** Send Mail**

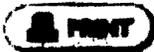
Send Mail to:
Laguna Service Center
24000 Avila Road 5th Floor
Laguna Niguel, CA 92677
USA



? **Questions?**

For questions about this job:
HR Assistant
Phone: (949)360-3058
Email: Hrasstdro@dhs.gov

USAJOBS Control Number: 761625



(45)

Immigration And Customs Enforcement

Department: Department Of Homeland Security
Agency: Immigration and Customs Enforcement
Job Announcement Number:
LAE-FOI-183043-RT-488

Overview



PARALEGAL SPECIALIST (SENIOR) (FOIA/PA)

Salary Range: 79,397.00 - 103,220.00 USD per year **Open Period:** Tuesday, September 18, 2007 to Monday, September 24, 2007

Series & Grade: GS-0950-13 **Position Information:** Full Time Career/Career Conditional

Promotion Potential: 13 **Duty Locations:** 1 vacancy - Washington, DC

Who May Be Considered:
Status Candidates (Merit Promotion Elig)
Job Summary:

Protecting National Security and Upholding Public Safety

Immigration and Customs Enforcement (ICE) utilizes the government's second largest cadre of law enforcement officers to ensure our nation's economic, transportation, and infrastructure security. ICE enforces immigration and customs laws and protects federal facilities. Our talented and courageous workforce identifies criminal activities and eliminates vulnerabilities that pose a threat to our nation's borders.

Be part of the solution -- defending our nation through the development and utilization of cutting-edge systems, procedures, and technologies to target the people, money, and materials that support terrorism and criminal activity.

At ICE, our staff enjoys diverse career opportunities. We:

- Detect and expose identity and benefit fraud
- Investigate the illegal export of weapons and sensitive technologies
- Combat human smuggling and trafficking operations
- Fight child exploitation by utilizing the technology of our cyber crimes center and working in partnership with law enforcement agencies around the world
- Protect critical infrastructure and ensure fair labor standards at key worksites like nuclear and chemical plants
- Investigate financial crimes
- Investigate all types of contraband smuggling

ICE is the primary investigative arm of the Department of Homeland Security (DHS). With more than 16,000 employees in 400 offices around the world, ICE is a key component of the DHS layered defense approach to protecting our nation.



APPLICATIONS AND SUPPORTING DOCUMENTATION WILL NOT BE ACCEPTED BY MAIL OR EMAIL.

Who May Apply: Current U.S. Immigration and Customs Enforcement employees in the competitive service who are serving on a career or career-conditional appointment and work within the local commuting area.

Organizational Location: This position is located in the Office of Assistant Secretary, FOIA Unit, U.S. Immigration and Customs Enforcement, Washington, D.C.

Relocation Expenses: Relocation expenses will not be paid.

Note: One or more positions may be filled using this vacancy announcement.

Questionnaire/Supporting Documents: The Questionnaire and all supporting documents must be submitted and received by 12:00 Midnight Eastern Time on the closing date of this announcement Monday, September 24, 2007

IMPORTANT NOTE: We do not use USAJOBS resume builder for submitting resumes. Your USAJOBS resume will not automatically be uploaded to USAStaffing. Therefore, please ensure you use the "How to Apply" tab or section in this vacancy announcement for step-by-step instructions on how to submit your resume, supporting documentation, and complete the occupational questionnaire. Failure to follow the "How to Apply" instructions will result in loss of consideration.

Key Requirements:

- U.S. Citizenship
- Background Security Investigation
- Drug Screening

Duties

Major Duties:

You will serve as a senior Paralegal Specialist located at the headquarters level and you will be responsible for one or more of the following functions: (1) serves as an advisor and technical expert in areas of the Freedom of Information Act (FOIA) and/or the Privacy Act (PA); (2) conducts research for the preparation of legal opinions on matters of interest to the agency; (3) performs substantive legal analysis of requests for information under the provisions of various acts; (4) or other similar legal support functions which require discretion and independent judgment in the application of a specialized knowledge of laws, precedent decisions, regulations, agency policies and practices, and judicial or administrative proceedings. You will ensure proper implementation of agency-wide FOIA/PA policies and procedures including internal agency procedures and guidelines based upon new or revised legislation or recommendations for a significant organization component of an agency. You will represent the agency when contacting requesters including officials and representatives from contractors, other government agencies (Federal, state, local and foreign), Congress, private immigration firms, news media, etc. on FOIA/PA matters that are unusual, complex, controversial, or sensitive.

Qualifications and Evaluation

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Qualifications:

GS-13: You qualify at the GS-13 level if you possess one (1) year of specialized experience that equipped you with the skills needed to perform the job duties. This experience must have been equivalent to at least the GS-12 grade level. Examples include expert knowledge of Federal Law, Department regulations, policies and procedures related to the Freedom of Information/Privacy Act Programs; plan, develop, interpret, and resolve broad, complex and/or unprecedented problems within the agency and analyzing Department policy changes and decisional law to ensure adequacy of FOIA/PA policies and for training purposes.

Requirements

U.S. Citizenship: Candidates must be United States citizens and present proof of citizenship, if selected.

Time in Grade: Time in grade restrictions must be met by the closing date of this announcement. Applicants must have at least 52 weeks of service equivalent to the next lower grade level in the normal line of progression for the position to be filled.

Qualifications by Closing Date: You must meet all qualification requirements by 12:00 Midnight Eastern time on the closing date of the announcement Monday, September 24, 2007. Please note that qualification claims will be subject to verification.

Background Security Investigation: You will need to successfully complete a background investigation before you can be appointed into this position.

Drug Testing: You must submit to a drug test and receive a negative drug test result before you can be appointed into this position. After appointment, you will be subject to random testing for illegal drug use.

**How You Will Be Evaluated:
Evaluations**

You will be evaluated based upon the responses you provide on the job specific questionnaire that is required as part of the application process for this position. You will be rated based on your responses and assigned a score ranging from 70 to 100 points. Candidates will be referred for selection in accordance with the terms of the agency merit promotion plan.

All the information you provide may be verified by a review of the work experience and/or education as shown on your application forms, by checking references and through other means, such as the interview process. This verification could occur at any stage of the application process. Any exaggeration of your experience, false statements, or attempts to conceal information may be grounds for rating you ineligible, not hiring you, or for firing you after you begin work.

Benefits and Other Information**Benefits:
Benefits**

The Federal government offers a number of exceptional benefits to its employees. These benefits include, but are not limited to: health care, life insurance, flexible spending and dependent care accounts, annual and sick leave, long-term care insurance, and retirement savings plans, and transit subsidies. For more information about these benefits, please visit <http://www.usajobs.opm.gov/ei61.asp>

**Other Information:**
Other Information

If you are a current career or career-conditional Federal employee or former Federal employee who has reinstatement eligibility, you may be required, at a later date, to submit additional documentation that supports your claim and reflects career or career-conditional tenure. If you are unable to provide the required documentation, you will not be given further consideration under this announcement.

Promotion Potential: When promotion potential is shown, the agency is not making a commitment and is not obligated to provide future promotions to you if you are selected. Future promotions will be dependent on your ability to perform the duties at a higher level, the continuing need for an employee assigned to the higher level, and administrative approval.

If this is a supervisory position, under provisions of the Civil Service Reform Act, first time supervisors and/or managers will be required to serve a 1-year probationary period. You may also be required to complete an appropriate supervisory training course within the one year of assignment to this position.

You must submit all required information by the closing date. If materials are not received, your application will be evaluated solely on the information available and you may not receive full consideration or may not be considered eligible. Also, if you do not provide an email address, you will not be notified of the outcome of your application.

All agency employees are required to participate in Direct Deposit/Electronic Funds Transfer for salary payments.

Equal Employment Opportunity: The agency is an Equal Opportunity Employer. All candidates will be considered regardless of their race, color, religion, sex, national origin, age, sexual orientation, protected genetic information, status as a parent, lawful political affiliation, marital status, physical/mental disability (if not a job factor), membership or non-membership in an employee organization, or any other nonmerit factor.

Applicants requiring reasonable accommodations for any part of the application and hiring process should contact the Human Resources Office Representative listed on this announcement. Determinations on requests for reasonable accommodation will be made on a case-by-case basis.

Important! All the information you provide may be verified by a review of the work experience and/or education as shown on your application forms, by checking references and through other means, such as the interview process. Any exaggeration of your experience, false statements, or attempts to conceal information may be grounds for not hiring you, or for firing you after you begin work.

How to Apply**How To Apply:**

You must complete an application package that includes an assessment questionnaire, resume, and any applicable supporting documentation.

To apply for this position, you must create an Application Manager account and provide a complete Application Package, which includes both of the following parts:

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1. Your responses to the Assessment Questionnaire, and
2. Your resume and any other documents specified in the Required Documents section of this job announcement.

Application Manager will track your progress to a *Complete Application Package* using the *My Application Packages* checklist and status displays in *Application Manager*. Your *Application Package* status must be *Complete* by Monday, September 24, 2007.

To begin, choose one of these options:

If your resume is going to come from the USAJOBS *Resume Builder*, you begin the process by clicking the **Apply Online** button near the bottom of this page. Your resume will be attached only to the *Application Package* you complete and Submit immediately after you click the **Apply Online** button for this job announcement, not to any *Application Packages* you may already have created.

If your resume is going to be one you prepared outside of USAJOBS *Resume Builder*, click this link to begin the process: **Online Questionnaire**.

To return to *Application Manager* at any time, use whichever one of the links you used to begin as described above, or simply go to <https://ApplicationManager.org>.

To fax a resume or other document

Click on the link below to obtain the special application cover page <http://staffing.opm.gov/pdf/usascvcover.pdf>. Make sure that you include the 8-character vacancy identification number ML153843, your name, and SSN in the blocks provided or we will not be able to associate your resume with the rest of your application.

The fax number is 1-478-757-3144.

Required Documents:

In addition to completing an on-line questionnaire and submitting an on-line resume, additional supporting documents must be received by the closing date of this announcement.

SF-50, Notification of Personnel Action or equivalent document that supports your claim for eligibility as a status candidate.

SF-50, Notification of Personnel Action or equivalent document that supports your claim for time-in-grade.

Your application and all supporting documentation must be received by 12:00 midnight (Eastern Time) on the closing date. Note that you will be allowed to apply more than once but the last application is the only one that will be used.

Applications and supporting documentation will not be accepted by mail. If you are unable to apply on-line, contact the Human Resources Office representative listed on this announcement



at least one day prior to the closing date for further instructions.

Contact Information:

HR Assistant
Phone: (949)360-3055
Email: Hrasstfpe@dhs.gov

Or write:
Laguna Service Center
24000 Avila Road 5th Floor
Laguna Niguel, CA 92677
USA

What To Expect Next:

We expect to make a selection within 90 days of the closing date of this announcement. You will be notified of the outcome. If further evaluation or interviews are required you will be contacted.

EEO Policy Statement

The United States Government does not discriminate in employment on the basis of race, color, religion, sex, national origin, political affiliation, sexual orientation, marital status, disability, age, membership in an employee organization, or other non-merit factor.

Reasonable Accommodation Policy Statement

Federal agencies must provide reasonable accommodation to applicants with disabilities where appropriate. Applicants requiring reasonable accommodation for any part of the application and hiring process should contact the hiring agency directly. Determinations on requests for reasonable accommodation will be made on a case-by-case basis.



 **Send Mail**

Send Mail to:
Laguna Service Center
24000 Avila Road 5th Floor
Laguna Niguel, CA 92677
USA

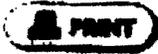
 **Questions?**

For questions about this job:
HR Assistant

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Phone: (949)360-3055
Email: Hrsstfpe@dhs.gov

USAJOBS Control Number: 1011389



JS

Immigration And Customs Enforcement

Department: Department Of Homeland Security
 Agency: Immigration and Customs Enforcement
 Job Announcement Number:
 LAS-POI-138880-KT-368

Overview



PARALEGAL SPECIALIST (FOIA/PA)

Salary Range: \$5,706.00 - \$6,801.00 USD per year

Open Period: Monday, March 26, 2007
to Friday, March 30, 2007

Series & Grade: GS-0950-11/12

Position Information: Full Time Career/Career
Conditional

Promotion Potential: 12

Duty Locations: 1 vacancy - Washington, DC

Who May Be Considered:

Status Candidates (Merit Promotion Elig)

Job Summary:

This position supports our mission to prevent acts of terrorism by targeting the people, money, and materials that support terrorist and criminal activities. Our vision is to be the nation's preeminent law enforcement agency, dedicated to detecting vulnerabilities and preventing violations that threaten national security. Immigration and Customs Enforcement (ICE) was established to combat the criminal and national security threats emergent in a post 9/11 environment.

Who May Apply:

Current Federal employees serving on a career or career-conditional appointment.

Current and former Federal employees who meet the established criteria in an Office of Personnel Management Interchange Agreement.

Veterans who are preference eligibles or who have been separated under honorable conditions after 3 years or more of continuous service will receive consideration under the Veterans Employment Opportunity Act (VEOA).

Organizational Location: This position is located in the FOIA Unit, under the Office of Assistant Secretary, Immigration and Customs Enforcement, Washington, D.C.

Relocation Expenses: Relocation expenses will not be paid.

Note: One or more positions may be filled using this vacancy announcement.

Questionnaire/Supporting Documents: The Questionnaire and all supporting documents must be submitted and received by 12:00 Midnight EDT on the closing date of this announcement Friday.



March 30, 2007.

Applications and supporting documentation will NOT be accepted by mail or email. The address listed below is for inquiries only.

Key Requirements:

- U.S. Citizenship
- Background Security Investigation
- Drug Screening

Duties

Major Duties:

You will research and analyze legal issues that arise in conjunction with handling complex initial requests for agency records. You will perform legal administrative duties concerning hearings, appeals, litigation and advisory services. You will prepare necessary correspondence to substantiate the reasons for denying request information. You will process classified documents in accordance with policy and different levels of government security classification regulations. You will act as a liaison to program offices, both within the Department of Homeland Security (DHS) and other government agencies pertaining to FOIA-related matters. You will answer FOIA requestor's questions that arise in the context of processing their request.

Qualifications and Evaluation

Qualifications:

GS-11: You qualify at the GS-11 level if you possess one (1) year of specialized experience that equipped you with the skills needed to perform the job duties. This experience must have been equivalent to at least the GS-9 grade level. Examples include expert knowledge of analytical and evaluative methods in order to research, interpret, and apply a vast number of FOIA/PA statutes and precedents when denying access to information and to determine the impact of the released information on agency operations.

GS-12: You qualify at the GS-12 level if you possess one (1) year of specialized experience that equipped you with the skills needed to perform the job duties. This experience must have been equivalent to at least the GS-11 grade level. Examples include experience researching legislative history/precedent cases/decisions applicable to FOIA/PA cases for information and substantiating the rationale for action taken in event of appeal; analyzing and evaluating evidence or questions related to FOIA/PA programs; and investigating the details involved in a FOIA/PA matter, determining data needs and evaluating the sufficiency of that data.

Educational Requirements:

GS-11: You may substitute a doctoral degree or three full years of progressively higher-level graduate education leading to such a degree in a qualifying field for experience at the GS-11 grade level. Such education must have been obtained in an accredited college or university and demonstrate the knowledge, skills, and abilities necessary to do the work of this position. Check with your school to determine how many credit hours comprise three years of graduate study. If that information is not available, use 54 Semester or 81 quarter hours.

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Appropriate combinations of successfully completed post-high school education and experience also may be used to meet the total qualification requirements for the GS-9 and 11 grade levels. (Refer to the U.S. Customs and Border Protection web site at www.cbp.gov for information on how to combine experience and education.

Drug Testing: You must submit to a drug test and receive a negative drug test result before you can be appointed into this position. After appointment, you will be subject to random testing for illegal drug use.

How You Will Be Evaluated: Evaluations

You will be evaluated based upon the responses you provide on the job specific questionnaire that is required as part of the application process for this position. You will be rated based on your responses and assigned a score ranging from 70 to 100 points. Candidates will be referred for selection in accordance with the terms of the agency merit promotion plan.

All the information you provide may be verified by a review of the work experience and/or education as shown on your application forms, by checking references and through other means, such as the interview process. This verification could occur at any stage of the application process. Any exaggeration of your experience, false statements, or attempts to conceal information may be grounds for rating you ineligible, not hiring you, or for firing you after you begin work.

Benefits and Other Information

Benefits: Benefits

The Federal government offers a number of exceptional benefits to its employees. These benefits include, but are not limited to: health care, life insurance, flexible spending and dependant care accounts, annual and sick leave, long-term care insurance, and retirement savings plans, and transit subsidies. For more information about these benefits, please visit <http://www.usajobs.opm.gov/e161.asp>

Other Information:

Other Information

Individuals who have special priority selection rights under the Agency Career Transition



Assistance Program (CTAP) or the Interagency Career Transition Assistance Program (ICTAP) must be well qualified for the position to receive consideration for special priority selection. To be well-qualified and exercise selection priority for this vacancy, displaced Federal employees must be rated at 85 or above on the rating criteria for this position. For those instances where the best qualified lists include applicants with scores less than 85, the well-qualified score becomes the lowest score on the best qualified list. CTAP and ICTAP eligibles must submit one of the following as proof of eligibility for the special selection priority: a separation notice; a "Notice of Personnel Action" (SF-50) or equivalent that documents separation; an agency certification that you cannot be placed after injury compensation has been terminated; an OPM notification that your disability annuity has been terminated; OR a Military Department or National Guard Bureau notification that you are retired under 5 U.S.C. 8337(h) or 8456.

If you are a current career or career-conditional Federal employee or former Federal employee who has reinstatement eligibility, you may be required, at a later date, to submit additional documentation that supports your claim and reflects career or career-conditional tenure. If you are unable to provide the required documentation, you will not be given further consideration under this announcement.

If you are filing under the VEOA (Veterans Employment Opportunity Act) or the VRA (Veterans Recruitment Authority), you must include in your application package a copy of your DD-214 or other proof of eligibility. ~~If you are still on active duty, you may submit a statement of service from your unit which states the date you entered active duty, the date you are separating, and the campaign medals you have received.~~ For more information on the VEOA and VRA, consult the Vets Guide at: <http://www.opm.gov/veterans/html/vetguide.htm>

Promotion Potential: When promotion potential is shown, the agency is not making a commitment and is not obligated to provide future promotions to you if you are selected. Future promotions will be dependent on your ability to perform the duties at a higher level, the continuing need for an employee assigned to the higher level, and administrative approval.

If this is a supervisory position, under provisions of the Civil Service Reform Act, first time supervisors and/or managers will be required to serve a 1-year probationary period. You may also be required to complete an appropriate supervisory training course within the one year of assignment to this position.

You must submit all required information by the closing date. If materials are not received, your application will be evaluated solely on the information available and you may not receive full consideration or may not be considered eligible. Also, if you do not provide an email address, you will not be notified of the outcome of your application.

All agency employees are required to participate in Direct Deposit/Electronic Funds Transfer for salary payments.

Equal Employment Opportunity: The agency is an Equal Opportunity Employer. All candidates will be considered regardless of their race, color, religion, sex, national origin, age, sexual orientation, protected genetic information, status as a parent, lawful political affiliation, marital status, physical/mental disability (if not a job factor), membership or non-membership in an employee organization, or any other nonmerit factor.

Applicants requiring reasonable accommodations for any part of the application and hiring process should contact the Human Resources Office Representative listed on this announcement. Determinations on requests for reasonable accommodation will be made on a case-by-case basis.



Important! All the information you provide may be verified by a review of the work experience and/or education as shown on your application forms, by checking references and through other means, such as the interview process. Any exaggeration of your experience, false statements, or attempts to conceal information may be grounds for not hiring you, or for firing you after you begin work.

How to Apply

How To Apply:

To apply for this position, you must create an Application Manager account and provide a complete Application Package, which includes both of the following parts:

1. Your responses to the Assessment Questionnaire, and
2. Your resume and any other documents specified in the Required Documents section of this job announcement.

Application Manager will track your progress to a Complete Application Package using the My Application Packages checklist and status displays in Application Manager. Your Application Package status must be Complete by Friday, March 30, 2007

To begin, choose one of these options:

- If your resume is going to come from the USAJOBS Resume Builder, you begin the process by clicking the Apply Online button near the bottom of this page. Your resume will be attached only to the Application Package you complete and Submit immediately after you click the Apply Online button for this job announcement, not to any Application Packages you may already have created.
- If your resume is going to be one you prepared outside of USAJOBS Resume Builder, click this link to begin the process: [Online Questionnaire](#)

To return to Application Manager at any time, use whichever one of the links you used to begin as described above, or simply go to <https://ApplicationManager.org>.

To fax a resume or other document

Click on the link below to obtain the special application cover page. <http://staffing.com.gov/pdf/usacover.pdf>. Make sure that you include the 8-character vacancy identification number ML135580, your name, and SSN in the blocks provided or we will not be able to associate your resume with the rest of your application. The fax number is 1-478-757-3144.

Required Documents:

In addition to completing an on-line questionnaire and submitting an on-line resume, the following supporting documents must be received by the closing date of this announcement.

Veterans' documentation if filing under VEOA, VRA or claiming veterans' preference (e.g., DD-214 or statement of service, VA letter, SF-15). If you are filing under the VEOA (Veterans Employment Opportunity Act) or the VRA (Veterans Recruitment Authority), you must include in your application package a copy of your DD-214 or other proof of eligibility. If you are still on active duty, you may submit a statement of service



from your unit which states the date you entered active duty, the date you are separating, and the campaign medals you have received. For more information on the VEOA and VRA, consult the Vets Guide at: <http://www.opm.gov/veterans/html/vetguide.asp>

Transcripts if basing your qualifications on education. This education must be from an institution accredited by an accrediting agency recognized by the U.S. Department of Education.

Proof of Eligibility if applying for consideration under a priority selection program (e.g., CTAP/ICTAP) or a special appointing authority. Individuals who have special priority selection rights under the Agency Career Transition Assistance Program (CTAP) or the Interagency Career Transition Assistance Program (ICTAP) must be well qualified for the position to receive consideration for special priority selection. To be well-qualified and exercise selection priority for this vacancy, displaced Federal employees must be rated at 85 or above on the rating criteria for this position. For those instances where the best qualified lists include applicants with scores less than 85, the well-qualified score becomes the lowest score on the best qualified list. CTAP and ICTAP eligibles must submit one of the following as proof of eligibility for the special selection priority: a separation notice; a "Notice of Personnel Action" (SF-50) or equivalent that documents separation; an agency certification that you cannot be placed after injury compensation has been terminated; an OPM notification that your disability annuity has been terminated; OR a Military Department or National Guard Bureau notification that you are retired under 5 U.S.C. 8337(h) or 8456.

Proof of Eligibility if applying for consideration under the Office of Personnel Management Interchange Agreement. Individuals requesting consideration under the Office of Personnel Management Interchange Agreement must submit proof of eligibility such as a Notice of Personnel Action, a separation notice, or other appropriate documentation.

Your application and all supporting documentation must be received by 12:00 midnight (Eastern Time) on the closing date. Note that you will be allowed to apply more than once but the last application is the only one that will be used.

Applications and supporting documentation will not be accepted by mail. If you are unable to apply on-line, contact the Human Resources Office representative listed on this announcement at least one day prior to the closing date for further instructions.

Contact Information:

HR Assistant
Phone: (949)360-3058
Email: Hrasstdro@dhs.gov

Or write:
Laguna Service Center
24000 Avila Road 5th Floor
Laguna Niguel, CA 92677
USA

What To Expect Next:

We expect to make a selection within 90 days of the closing date of this announcement. You will be notified of the outcome. If further evaluation or interviews are required you will be contacted.

EEO Policy Statement

The United States Government does not discriminate in employment on the basis of race,



color, religion, sex, national origin, political affiliation, sexual orientation, marital status, disability, age, membership in an employee organization, or other non-merit factor.

Reasonable Accommodation Policy Statement

Federal agencies must provide reasonable accommodation to applicants with disabilities where appropriate. Applicants requiring reasonable accommodation for any part of the application and hiring process should contact the hiring agency directly. Determinations on requests for reasonable accommodation will be made on a case-by-case basis.



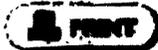
 **Send Mail**

Send Mail to:
Laguna Service Center
24000 Avila Road 5th Floor
Laguna Niguel, CA 92677
USA

 **Questions**

For questions about this job:
HR Assistant
Phone: (949)360-3058
Email: Hraetdro@dhs.gov

USAJOBS Control Number: 866868



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Immigration And Customs Enforcement

Department: Department Of Homeland Security
Agency: Immigration and Customs Enforcement
Job Announcement Number:
LAG-FOI-135500-RT-348

Overview



PARALEGAL SPECIALIST (FOIA/PA)

Salary Range: \$5,706.00 - \$6,801.00 USD per year

Open Period: Monday, March 26, 2007
to Friday, March 30, 2007

Series & Grade: GS-0950-11/12

Position Information: Full Time Career/Career
Conditional

Promotion Potential: 12

Duty Locations: 1 vacancy - Washington, DC

Who May Be Considered:

Status Candidates (Merit Promotion Elig)

Job Summary:

This position supports our mission to prevent acts of terrorism by targeting the people, money, and materials that support terrorist and criminal activities. Our vision is to be the nation's preeminent law enforcement agency, dedicated to detecting vulnerabilities and preventing violations that threaten national security. Immigration and Customs Enforcement (ICE) was established to combat the criminal and national security threats emergent in a post 9/11 environment.

Who May Apply:

Current Federal employees serving on a career or career-conditional appointment.

Current and former Federal employees who meet the established criteria in an Office of Personnel Management Interchange Agreement.

Veterans who are preference eligibles or who have been separated under honorable conditions after 3 years or more of continuous service will receive consideration under the Veterans Employment Opportunity Act (VEOA).

Organizational Location: This position is located in the FOIA Unit, under the Office of Assistant Secretary, Immigration and Customs Enforcement, Washington, D.C.

Relocation Expenses: Relocation expenses will not be paid.

Note: One or more positions may be filled using this vacancy announcement.

Questionnaire/Supporting Documents: The Questionnaire and all supporting documents must be submitted and received by 12:00 Midnight EDT on the closing date of this announcement Friday,

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March 30, 2007.

Applications and supporting documentation will NOT be accepted by mail or email. The address listed below is for inquiries only.

Key Requirements:

- U.S. Citizenship
- Background Security Investigation
- Drug Screening

Duties**Major Duties:**

You will research and analyze legal issues that arise in conjunction with handling complex initial requests for agency records. You will perform legal administrative duties concerning hearings, appeals, litigation and advisory services. You will prepare necessary correspondence to substantiate the reasons for denying request information. You will process classified documents in accordance with policy and different levels of government security classification regulations. You will act as a liaison to program offices, both within the Department of Homeland Security (DHS) and other government agencies pertaining to FOIA related matters. You will answer FOIA requestor's questions that arise in the context of processing their request.

Qualifications and Evaluation**Qualifications:**

GS-11: You qualify at the GS-11 level if you possess one (1) year of specialized experience that equipped you with the skills needed to perform the job duties. This experience must have been equivalent to at least the GS-9 grade level. Examples include expert knowledge of analytical and evaluative methods in order to research, interpret, and apply a vast number of FOIA/PA statutes and precedents when denying access to information and to determine the impact of the released information on agency operations.

GS-12: You qualify at the GS-12 level if you possess one (1) year of specialized experience that equipped you with the skills needed to perform the job duties. This experience must have been equivalent to at least the GS-11 grade level. Examples include experience researching legislative history/precedent cases/decisions applicable to FOIA/PA cases for information and substantiating the rationale for action taken in event of appeal; analyzing and evaluating evidence or questions related to FOIA/PA programs; and investigating the details involved in a FOIA/PA matter, determining data needs and evaluating the sufficiency of that data.

Educational Requirements:

GS-11: You may substitute a doctoral degree or three full years of progressively higher-level graduate education leading to such a degree in a qualifying field for experience at the GS-11 grade level. Such education must have been obtained in an accredited college or university and demonstrate the knowledge, skills, and abilities necessary to do the work of this position. Check with your school to determine how many credit hours comprise three years of graduate study. If that information is not available, use 54 Semester or 81 quarter hours.

(4)

Appropriate combinations of successfully completed post-high school education and experience also may be used to meet the total qualification requirements for the GS-9 and 11 grade levels. (Refer to the U.S. Customs and Border Protection web site at www.cbp.gov for information on how to combine experience and education.

Requirements:

U.S. Citizenship: Candidates must be United States citizens and present proof of citizenship, if selected.

Time in Grade: Time in grade restrictions must be met by the closing date of this announcement. Applicants must have at least 52 weeks of service equivalent to the next lower grade level in the normal line of progression for the position to be filled.

Qualifications by Closing Date: Unless otherwise noted, you must meet all qualification and eligibility requirements by the closing date of the announcement Friday, March 30, 2007.

Background Security Investigation: You will need to successfully complete a background security investigation before you can be appointed into this position.

Drug Testing: You must submit to a drug test and receive a negative drug test result before you can be appointed into this position. After appointment, you will be subject to random testing for illegal drug use.

**How You Will Be Evaluated:
Evaluations**

You will be evaluated based upon the responses you provide on the job specific questionnaire that is required as part of the application process for this position. You will be rated based on your responses and assigned a score ranging from 70 to 100 points. Candidates will be referred for selection in accordance with the terms of the agency merit promotion plan.

All the information you provide may be verified by a review of the work experience and/or education as shown on your application forms, by checking references and through other means, such as the interview process. This verification could occur at any stage of the application process. Any exaggeration of your experience, false statements, or attempts to conceal information may be grounds for rating you ineligible, not hiring you, or for firing you after you begin work.

Benefits and Other Information**Benefits:
Benefits**

The Federal government offers a number of exceptional benefits to its employees. These benefits include, but are not limited to: health care, life insurance, flexible spending and dependent care accounts, annual and sick leave, long-term care insurance, and retirement savings plans, and transit subsidies. For more information about these benefits, please visit <http://www.usajobs.opm.gov/eif61.asp>

Other Information:**Other Information**

Individuals who have special priority selection rights under the Agency Career Transition

Assistance Program (CTAP) or the Interagency Career Transition Assistance Program (ICTAP) must be well qualified for the position to receive consideration for special priority selection. To be well-qualified and exercise selection priority for this vacancy, displaced Federal employees must be rated at 85 or above on the rating criteria for this position. For those instances where the best qualified lists include applicants with scores less than 85, the well-qualified score becomes the lowest score on the best qualified list. CTAP and ICTAP eligibles must submit one of the following as proof of eligibility for the special selection priority: a separation notice; a "Notice of Personnel Action" (SF-50) or equivalent that documents separation; an agency certification that you cannot be placed after injury compensation has been terminated; an OPM notification that your disability annuity has been terminated; OR a Military Department or National Guard Bureau notification that you are retired under 5 U.S.C. 8337(h) or 8456.

If you are a current career or career-conditional Federal employee or former Federal employee who has reinstatement eligibility, you may be required, at a later date, to submit additional documentation that supports your claim and reflects career or career-conditional tenure. If you are unable to provide the required documentation, you will not be given further consideration under this announcement.

If you are filing under the VEOA (Veterans Employment Opportunity Act) or the VRA (Veterans Recruitment Authority), you must include in your application package a copy of your DD-214 or other proof of eligibility. If you are still on active duty, you may submit a statement of service from your unit which states the date you entered active duty, the date you are separating, and the campaign medals you have received. For more information on the VEOA and VRA, consult the Vets Guide at: <http://www.opm.gov/veterans/html/vetguide.htm>

Promotion Potential: When promotion potential is shown, the agency is not making a commitment and is not obligated to provide future promotions to you if you are selected. Future promotions will be dependant on your ability to perform the duties at a higher level, the continuing need for an employee assigned to the higher level, and administrative approval.

If this is a supervisory position, under provisions of the Civil Service Reform Act, first time supervisors and/or managers will be required to serve a 1-year probationary period. You may also be required to complete an appropriate supervisory training course within the one year of assignment to this position.

You must submit all required information by the closing date. If materials are not received, your application will be evaluated solely on the information available and you may not receive full consideration or may not be considered eligible. Also, if you do not provide an email address, you will not be notified of the outcome of your application.

All agency employees are required to participate in Direct Deposit/Electronic Funds Transfer for salary payments.

Equal Employment Opportunity: The agency is an Equal Opportunity Employer. All candidates will be considered regardless of their race, color, religion, sex, national origin, age, sexual orientation, protected genetic information, status as a parent, lawful political affiliation, marital status, physical/mental disability (if not a job factor), membership or non-membership in an employee organization, or any other nonmerit factor.

Applicants requiring reasonable accommodations for any part of the application and hiring process should contact the Human Resources Office Representative listed on this announcement. Determinations on requests for reasonable accommodation will be made on a case-by-case basis.

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Important! All the information you provide may be verified by a review of the work experience and/or education as shown on your application forms, by checking references and through other means, such as the interview process. Any exaggeration of your experience, false statements, or attempts to conceal information may be grounds for not hiring you, or for firing you after you begin work.

How to Apply

How To Apply:

To apply for this position, you must create an Application Manager account and provide a complete Application Package, which includes both of the following parts:

1. Your responses to the Assessment Questionnaire, and
2. Your resume and any other documents specified in the Required Documents section of this job announcement.

Application Manager will track your progress to a Complete Application Package using the My Application Packages checklist and status displays in Application Manager. Your Application Package status must be Complete by Friday, March 30, 2007

To begin, choose one of these options:

- If your resume is going to come from the USAJOBS Resume Builder, you begin the process by clicking the Apply Online button near the bottom of this page. Your resume will be attached only to the Application Package you complete and Submit immediately after you click the Apply Online button for this job announcement, not to any Application Packages you may already have created.
- If your resume is going to be one you prepared outside of USAJOBS Resume Builder, click this link to begin the process: [Online Questionnaire](#)

To return to Application Manager at any time, use whichever one of the links you used to begin as described above, or simply go to <https://ApplicationManager.org>.

To fax a resume or other document

Click on the link below to obtain the special application cover page.

<http://staffing.com.gov/pdf/usajcover.pdf>. Make sure that you include the 8-character vacancy identification number ML136580, your name, and SSN in the blocks provided or we will not be able to associate your resume with the rest of your application.

The fax number is 1-475-757-3144.

Required Documents:

In addition to completing an on-line questionnaire and submitting an on-line resume, the following supporting documents must be received by the closing date of this announcement.

Veterans' documentation if filing under VEOA, VRA or claiming veterans' preference (e.g., DD-214 or statement of service, VA letter, SF-15). If you are filing under the VEOA (Veterans Employment Opportunity Act) or the VRA (Veterans Recruitment Authority), you must include in your application package a copy of your DD-214 or other proof of eligibility. If you are still on active duty, you may submit a statement of service

from your unit which states the date you entered active duty, the date you are separating, and the campaign medals you have received. For more information on the VEOA and VRA, consult the Vets Guide at <http://www.opm.gov/veterans/html/vetguide.asp>

Transcripts if basing your qualifications on education. This education must be from an institution accredited by an accrediting agency recognized by the U.S. Department of Education.

Proof of Eligibility if applying for consideration under a priority selection program (e.g., CTAP/ICTAP) or a special appointing authority. Individuals who have special priority selection rights under the Agency Career Transition Assistance Program (CTAP) or the Interagency Career Transition Assistance Program (ICTAP) must be well qualified for the position to receive consideration for special priority selection. To be well-qualified and exercise selection priority for this vacancy, displaced Federal employees must be rated at 85 or above on the rating criteria for this position. For those instances where the best qualified lists include applicants with scores less than 85, the well-qualified score becomes the lowest score on the best qualified list. CTAP and ICTAP eligibles must submit one of the following as proof of eligibility for the special selection priority: a separation notice; a "Notice of Personnel Action" (SF-50) or equivalent that documents separation; an agency certification that you cannot be placed after injury compensation has been terminated; an OPM notification that your disability annuity has been terminated; OR a Military Department or National Guard Bureau notification that you are retired under 5 U.S.C. 8337(h) or 8456.

Proof of Eligibility if applying for consideration under the Office of Personnel Management Interchange Agreement. Individuals requesting consideration under the Office of Personnel Management Interchange Agreement must submit proof of eligibility such as a Notice of Personnel Action, a separation notice, or other appropriate documentation.

Your application and all supporting documentation must be received by 12:00 midnight (Eastern Time) on the closing date. Note that you will be allowed to apply more than once but the last application is the only one that will be used.

Applications and supporting documentation will not be accepted by mail. If you are unable to apply on-line, contact the Human Resources Office representative listed on this announcement at least one day prior to the closing date for further instructions.

Contact Information:

HR Assistant
Phone: (949)360-3058
Email: Hrasstdro@dhs.gov

Or write:
Laguna Service Center
24000 Avila Road 5th Floor
Laguna Niguel, CA 92677
USA

What To Expect Next:

We expect to make a selection within 90 days of the closing date of this announcement. You will be notified of the outcome. If further evaluation or interviews are required you will be contacted.

EEO Policy Statement

The United States Government does not discriminate in employment on the basis of race,

Papoi, Catherine

From: Suzuki, Shari (b)(2)(low)
Sent: Thursday, August 10, 2006 3:32 PM
To: Papoi, Catherine
Cc: (b)(6)
Subject: CBP FOIA Guidance

Attachments: 19 CFR 103 (2006).pdf



19 CFR 103
(2006).pdf (1 MB)

Catherine,

It was nice meeting you this week at the FOIA Officers meeting.

You asked all components to submit any FOIA/PA guidance they may have in place. Attached please find a copy of Customs & Border Protection's regulations relating to the FOIA/PA which may be found at 19 CFR 103.

(See attached file: 19 CFR 103 (2006).pdf)

Best regards,
Shari Suzuki, Chief
FOIA Appeals, Policy & Litigation Branch Office of Regulations & Rulings Customs and Border Protection

(b)(2)(low)

This document may contain confidential data, attorney work-product, and/or information intended for U.S. Government use only. The information contained in this document is not for release, review, further transmission, dissemination, or use by anyone other than the intended recipient(s) absent the express consent of the originator. Further, this document is not intended to serve as legal precedent unless specifically stated. If you are not the intended recipient of this transmission, please notify the sender immediately and then delete this document from your files.

Lockett, Vania

From: Lockett, Vania
Sent: Saturday, September 29, 2007 8:55 AM
To: Kuehn, Stephanie L <CTR>; Odom, Erin <CTR>; McMullen, Emily <CTR>; Byrd, Pauline <CTR>; Guha, Songeeta; Curley, Carol <CTR>; Lee, David <CTR>
Subject: ***** New CBP FOIA Office, New FOIA Director *****

All,

Please see the memorandum below from Commissioner Basham announcing the new centralized CBP FOIA office! This is excellent news for CBP. This also means that, effective October 1, 2007, we should **direct any FOIA requests for CBP records to the new CBP FOIA Director, Mark Hanson.** The contact information for CBP's new centralized FOIA office is listed in the memorandum below. Thanks.

TO: CBP Employees
FROM: Commissioner
SUBJECT: New CBP FOIA Office

Effective October 1, 2007, CBP will open a new Freedom of Information Act (FOIA) office under the Office of International Trade. This new office supports the President's Executive Order (13392) to improve agency disclosure of information, and the Government-wide initiative to improve FOIA processing and reduce backlog.

The new office will centralize CBP FOIA functions and provide overall management and support to the program.

Mr. Mark Hanson will serve as the Acting FOIA Director, and a staff of experienced employees will process FOIA requests. The new FOIA office will also prepare statistical reports for CBP management, the Department of Homeland Security and Department of Justice.

FOIA requests for records that are maintained in national computer systems, and are accessible to the FOIA staff, will be processed from start to finish by the new FOIA office – to include receiving and logging the request, querying and identifying responsive records and exemptions, redacting, and submitting the final response to the requestor. FOIA requests for records that are not maintained in national computer systems, will be received and logged-in by the FOIA office and processing will be coordinated directly with the appropriate office.

Beginning October 1, 2007, please forward all new FOIA requests to the following address:

U.S. Customs and Border Protection
1300 Pennsylvania Ave., NW,
Attn: Mint Annex Building, FOIA Division
Washington, D.C. 20229

The phone number for the FOIA Division is 202-572-0640.

11/20/2007

CBP websites, cbpnet and cbp.gov, will be updated to reflect these changes.

W. Ralph Basham

Commissioner

To: Assistant Commissioners
Office Directors

From: Deputy Chief of Staff

Subject: Freedom of Information Act (FOIA) Responsibilities and Duties

The President issued Executive Order 13392, entitled "Improving Agency Disclosure of Information," which requires CBP to increase its reporting requirements and place a higher level of focus on FOIA matters.

As a result, and to ensure we have the most updated information, please submit the name, office, location and telephone number of the FOIA representative and alternate from your Office, to the FOIA Appeals, Policy and Litigation Branch ("FOIA Branch"), OR&R, via the intra-agency FOIA e-mail address – FOIAHELPMAILBOX, no later than **October 31, 2006**. Please use "FOIA Contact Information" in the subject line of the e-mail message.

The responsibilities of the FOIA representative include processing FOIA requests and compiling FOIA data for the weekly, monthly and annual reports. Attached is more detailed information on FOIA responsibilities along with other pertinent information.

After FOIA representatives and alternates from each Office are confirmed, a meeting for Headquarters FOIA representatives will be scheduled to educate them on:

- the President's Executive Order;
- creating a citizen-centered & results-oriented approach to FOIA processing;
- the CBP FOIA Improvement Plan; and
- the weekly, monthly, and annual FOIA reporting requirements.

Thank you in advance for your cooperation and commitment to improving CBP's FOIA processing and reporting.

Attachment

cc: Deputy Commissioner
Chief of Staff

FOIA Responsibilities & Other Pertinent Information

Responsibilities

The designated FOIA representative in each Office serves as the principal contact for all FOIA matters involving that office. The FOIA representative's responsibilities include:

- Ensuring FOIA requests are properly and timely processed.
- Collecting and compiling FOIA data from its office (including field offices/ports) for the weekly, monthly and annual reports.

Reports

Weekly Significant FOIA Requests – DHS requires weekly summaries of significant FOIA requests received by CBP. Each Office FOIA representative must compile this weekly summary for their office (including field offices/ports), and submit the report to the FOIA e-mail address – FOIAHELPMAILBOX, by 12 noon each Friday. The weekly summaries of significant FOIA requests should be based on and follow the guidelines and examples set forth in the attached DHS document entitled "FOIA Section of the DHS Cabinet Report to the White House Submission Guidelines." The subject line of the e-mail should indicate "Weekly Significant FOIA Requests". Upon receipt, OR&R will consolidate the summaries for all of CBP for submission to DHS in a single weekly report.

Monthly FOIA Reports – DHS requires monthly FOIA reports to include data on the number of open FOIA requests, the length of time each request has been open, in addition to the total number of FOIA requests received to date (see attached DHS document entitled "Monthly Component Data Requested"). Your office's consolidated monthly report should be forwarded to the FOIA e-mail address – FOIAHELPMAILBOX, by the end of the second week of each month. The subject line of the email should indicate "FOIA Monthly Report". Upon receipt, OR&R will consolidate the FOIA data for all of CBP for submission to DHS in a single monthly report. Below are the due dates for upcoming monthly FOIA reports:

November 17, 2006
December 15, 2006
January 19, 2007
February 16, 2007
March 16, 2007
April 13, 2007
May 18, 2007
June 15, 2007
July 13, 2007

Annual FOIA Report – This report is required annually by FOIA. A memo was sent to each Office from OR&R (see attached memo dated September 18, 2006), requesting your office's Annual FOIA Report. Please ensure the Annual FOIA Report for your office is submitted timely via e-mail to (b)(6) by **October 31, 2006**. Upon receipt, OR&R will consolidate the FOIA data for all of CBP for submission to DHS in a single annual report.

Training

All FOIA representatives and alternates in your office should be properly trained in FOIA matters. If your FOIA representatives have not received FOIA training within the last year, they should attend FOIA training in Fiscal Year 2007. Information on future FOIA training sessions will be announced as classes are scheduled.

Help/Assistance

All FOIA representatives may forward any FOIA questions they have to the FOIA help e-mail address – FOIAHELPMAILBOX, or call the OR&R FOIA Appeals, Policy and Litigation Branch at 202-572-8720.