



2017 CHIEF FOIA OFFICER REPORT

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The Office operates an effective system for responding to FOIA requests by centralizing FOIA staff and database management, utilizing tracking numbers, maintaining secure electronic files, and following appropriate retention policies. This system allows the Office to maintain regular operations and monitor requests to identify any “frequently requested” records. The Office maintains no backlog and did not have outstanding requests which required a “still interested” inquiry.

In accordance with both the Department of Justice’s *2009 FOIA Guidelines* and the FOIA Improvement Act of 2016, Pub. L. 114-185, the Chief FOIA Officer recommended adjustments to agency practices and regulations. As a result, the Office will release an interim regulation in February 2017 that provides a clear structure for the required regulatory provisions of FOIA, formalizes the Office’s practices of multi-track processing and aggregation, and enhances customer service. Where appropriate, the Office will adopt the template for agency FOIA regulations released by the Office of Information Policy (OIP).

When responding to a FOIA request, the Office adheres to the presumption of openness when evaluating responsive documents. When preparing a record for release, the Office minimizes the number of redactions to comments or identifying information of a personal nature. This past year, in response to one request involving

communications with members of Congress, the Office chose to release these communications with minimal redaction. In addition, in order to promote a spirit of cooperation, Office staff endeavor to provide direct lines of communication with requesters, grant fee and expediting requests whenever possible, and openly engage with requesters regardless of the purpose of the request.

As the *FOIA Guidelines* state, the responsibility for effective FOIA administration belongs to every agency employee, and is not merely a task assigned to an agency's FOIA staff. To that end, the Office has utilized cross-department resources to increase proactive disclosures and enhance accessibility to records through online technology. The Office has engaged in digitizing archival resources related to historic legislative developments, and is developing processes for making these resources accessible on its website at copyright.gov. The Office became a partner agency in the eRulemaking Program – including its public-facing website regulations.gov – which enables the public ease of access to participate in a high quality, efficient, and open rulemaking process. This partnership facilitates access to open rulemakings and policy studies conducted by the Office, and provides a clear public record of comments submitted by interested parties.

Finally, the Office has made multiple improvements to its online systems in order to provide greater access to its proactively disclosed records, including circulars, *Federal Register* notices, data related to registered works and documents recorded by the Office, online service provider “designated agents,” reports, studies, and transcripts of the Register’s testimony. The Office began accepting electronic filings of Section 115 Notices of Intent, and made those filings accessible online so that the records may be easily searched. A new online system for registering designated agents in accordance with copyright law was launched, which enhanced online search functionality for designated agent information.



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