Print Form

CLEARANCE RECORD

(SEE INSTRUCTIONS ON REVERSE)

1. TYPE OF DOCUMENT: BOEM Policy Directive

2. IDENTIFICATION NUMBER (IF ANY): CATS #: ADAB-11-0047

3. SUBJECT/TITLE

Freedom of Information Acts (FOIA) Program Policy Directive

4. SUMMARY OF DOCUMENT CONTENTS (if a revision, given rationale for change)

Revision of current MMS Manual FOIA #316.1.1 dated June 1990.

2 of 3

5. ORIGINATOR

ORGANIZATION	NAME AND TITLE	TELEPHONE NUMBER	DATE
BOEMRE, A&B, IMD, Capital Planning & Information Policy Branch	Deborah Kimball, Bureau FOIA Officer	+1 (703) 787-1258	

6. CLEARANCES

ROUTING SYMBOL- CODE	ORGANIZATION AND TITLE	SIGNATURE	DATE	INTERNAL CLEARANCE SURNAME	INTERNAL CLEARANCE DATE
MS 2200	Brenda Taylor Chief, Capital Planning & Information Policy	See attached			
MS 2200	Craig Ekholm Chief, Information Management Division	see attached			
MS 2050	Melissa L. Stoltz Directives Liaison Officer	See attached			
MS 5438	Bob Brown Associate Director, Administration	S/N on yellow		[illegible]	10/24/2011
MS 0100	Office of Document Management, BOEM	[illegible]	10/28/11		
MS 0100	Chief of Staff, BOEM	[illegible]	10/27/11	CSB	
MS 0100	Walter Cruickshank Deputy Director, BOEM	[illegible]	12-12-11	[illegible]	11/17/11 11/18/11

7. SIGNATURE INFORMATION

NOTE: INDICATE BY STAMP THE NAME OF SIGNING OFFICIAL AND DATE SIGNED.	SIGNED BY	DATE SIGNED

8. FOR USE OF FINAL ACTION OFFICE

AFTER SIGNATURE RETURN TO	ISSUANCE NUMBER ASSIGNED

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BOEMRE, A&B, IMD, Capital Planning & Information Policy Branch	Deborah Kimball, Bureau FOIA Officer	+1 (703) 787-1689	

6. CLEARANCES

ROUTING SYMBOL- CODE	ORGANIZATION AND TITLE	SIGNATURE	DATE	INTERNAL CLEARANCE SURNAME	INTERNAL CLEARANCE DATE
MS 2200	Brenda Taylor Chief, Capital Planning & Information Policy	Brenda C. Taylor	9/13/2011		
MS 2200	Craig Ekholm Chief, Information Management Division	See attached			
MS 2050	Melissa L. Stoltz Directives Liaison Officer	Melissa L. Stoltz	9/28/11		
MS 4000	Bob LaBelle Associate Director, OEMM	See attached			
MS 2200	Jonathan Jones Bureau Directives Officer	See attached			
MS 5438	Bob, Brown Associate Director, Administration & Budget				
MS 0100	Office of Document Management, BOEMRE				
MS 0100	Tom Lillie Chief of Staff, BOEMRE				
MS 0100	Walter Cruickshank Deputy Director, BOEMRE				
MS 010	Tommy Beaudreau Senior Advisor, BOEMRE				

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BOEMRE, A&B, IMD, Capital Planning & Information Policy Branch	Deborah Kimball, Bureau FOIA Officer	+1 (703) 787-1689	06/24/2011

6. CLEARANCES

ROUTING SYMBOL- CODE	ORGANIZATION AND TITLE	SIGNATURE	DATE	INTERNAL CLEARANCE SURNAME	INTERNAL CLEARANCE DATE
MS 2200	Brenda Taylor Chief, Capital Planning & Information Policy	Brenda C. Taylor	6/29/2011		
MS 2200	Craig Ekholm Chief, Information Management Division	C. N. Ekholm	7.5.11		
MS 4000	Bob LaBelle Associate Director, OEMM	[illegible]	7/5	bcy	7/7/11
MS 5438	for ~~George Triebsch~~ C Norfleet Associate Director, PMI	Charles Norfleet	8/10/11		
MS 2200	Jonathan Jones Bureau Directives Officer	Jonathan E. Jones	8/25/2011		
MS 2000	Bob Brown Associate Director, A&B				

7. SIGNATURE INFORMATION

NOTE: INDICATE BY STAMP THE NAME OF SIGNING OFFICIAL AND DATE SIGNED.	SIGNED BY	DATE SIGNED

8. FOR USE OF FINAL ACTION OFFICE

AFTER SIGNATURE RETURN TO	ISSUANCE NUMBER ASSIGNED

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Routing Slip for ADAB-11-0047-- Appropriate Action --

Print Close

Control Information

Control #:	ADAB-11-0047	**Control Type:**	DIRC	**Control Date:**	10/21/2011
Rec/Int Date:	10/21/2011	**Exec Sec #:**		**LM#:**	
Resp Office:	ADAB	**Surname:**	Brown; Cruickshank; Beaudreau		
Corr. Date:		**Corr. Type:**	OTHER	**Corr. Source:**	

TO:	Title/Organization:	Last Name:	First Name:	
THROUGH:	Title/Organization:			
FROM:	Title/Organization:	Last Name:	First Name:	
FOR SIGNATURE OF:	Title:	Organization:	Date Due:	Date Signed:
	DIRECTOR	DIRCU	10/28/2011	

Subject: BOEM FOIA Program Policy Directive

Comments:

Action Information

Date Sent (10/21/2011)

Action Office:	ADAB	**Action Date:**		**Action Taken:**	
Action Name:		**Send To:**	ADAB	**Date Sent:**	10/21/2011
Action Requested:	SURNAME	**Due Back:**	10/28/2011		
Comments:					

CORRESPONDENCE/BRIEFING INFORMATIONAL FORM

SUBJECT MATTER: Freedom of Information Act (FOIA) Program Policy Directive

OFFICE: Capital Planning and Information Policy Branch

AUTHOR: Deborah Kimball , Bureau FOIA Officer

REQUEST APPROVAL FROM: Director for Bureau of Ocean Energy Management

SUMMARY: This chapter prescribes policies, procedures and responsibilities for the administration of the Freedom of Information Act (FOIA) as amended (5 U.S.C. 552), within the bureau. This policy must be used in conjunction with the department's FOIA regulations, 43 CFR, Part 2, subparts A and B, and the Department of The Interior's (DOI) FOIA handbook, 383 DM 15.

COMMENTS: Please approve the policy directive.

U.S. DEPARTMENT OF THE INTERIOR

Bureau of Ocean Energy Management

TRANSMITTAL SHEET

Version No. 1

DEC 12 2011

SUBJECT: Administrative Series
Part 316 Freedom of Information Act
Chapter 1 Policy and Responsibilities

EXPLANATION OF MATERIAL TRANSMITTED:

This chapter prescribes policies, procedures and responsibilities for the administration of the Freedom of Information Act (FOIA) as amended (5 U.S.C. 552), within the bureau. This policy must be used in conjunction with the department's FOIA regulations, 43 CFR, Part 2, subparts A and B, and the Department of The Interior's (DOI) FOIA handbook, 383 DM 15.

Walter D. Cruickshank

Deputy Director

FILING INSTRUCTIONS:

REMOVE:

Part	Chapter	Pages	Release
316	1	5	175

INSERT:

Part	Chapter	Pages	Version No.
316	1	4	1

OPR: Information Management Division
Office of Administration

Department of the Interior
Bureau of Ocean Energy Management

Effective Date: DEC 12 2011
Release No.: 1
Series: Administrative
Part 316: Freedom of Information Act
Chapter 1: Policy and Responsibilities

Originating Office: Information Management Division, Office of Administration

1. **Purpose.** This policy prescribes procedures and responsibilities for the administration of the Freedom of Information Act (FOIA) as amended (5 U.S.C. 552), within the Bureau. This policy must be used in conjunction with the Department's FOIA regulations, 43 CFR, Part 2, Subparts A and B, and the Department of the Interior (DOI) FOIA Handbook, 383 DM 15.

2. **Objectives.**

A. Administer the FOIA with a clear presumption in favor of disclosure; to resolve doubts in favor of openness; and to not withhold information based on speculative fears.

B. Ensure that requests are responded to with a "spirit of cooperation," that disclosures are timely, and that modern technology is used to make information available to the public even before a request is made.

C. Search for Bureau records responsive to a request, and review the records to determine whether any portion of it is exempt from disclosure.

D. Apply statutory exemptions to protect privileged records and personal privacy.

3. **Authorities.**

A. The FOIA, as amended, (5 U.S.C. 552)
http://www.justice.gov/oip/amended-foia-redlined.pdf

B. DOI FOIA Regulations, 43 CFR Part 2, Subparts A through E, November 20, 2002
http://ecfr.gpoaccess.gov/cgi/t/text/text-idx?c=ecfr&sid=680d313447224cb3fe72a5a2572dc5a1&rgn=div5&view=text&node=43:1.1.1.1.2&idno=43

C. Open Government Act of 2007, December 17, 2007
http://www.justice.gov/oip/amendment-s2488.pdf

D. Executive Order 13392, Improving Agency Disclosure of Information, December 19, 2005
http://www.doi.gov/foia/PDF/EO%2013392.pdf

E. DOI, 383 DM 15, FOIA, March 28, 1991
http://elips.doi.gov/app_dm/act_getfiles.cfm?relnum=2911

F. DOI, 383 DM 15, FOIA Handbook with exemptions, revised April 22, 2004
http://www.doi.gov/foia/handbook_2004.pdf

4. **References.**

A. Presidential Memorandum on the FOIA, January 21, 2009
http://www.doi.gov/foia/docs/FOIA.doc

B. Presidential Memorandum on Transparency and Open Government, January 21, 2009
http://www.doi.gov/foia/docs/Transparency.doc

C. Attorney General's Memorandum on FOIA, March 19, 2009
http://www.justice.gov/ag/foia-memo-march2009.pdf

D. Secretary of the Interior's FOIA Policy Guidance Memorandum, July 2, 2009
http://www.doi.gov/foia/2009/Secretary%20Ken%20Salazar_FOIA%20Policy%20Guidance%20Memorandum.PDF

E. Guidance Communication sent to Agency Chief FOIA Officers concerning the Implementation of the President's Memorandum on the FOIA, January 23, 2009
http://www.justice.gov/oip/email-map-obama.pdf

5. **Policy.** It is Federal agency/bureau policy to make records available to the public providing them with prompt access to information about its activities in accordance with the spirit and intent of the FOIA.

6. **Definitions.**

A. FOIA Request. A FOIA request means a written request (this includes fax and e-mail) made by any member of the public for Bureau records. A FOIA request can be made by any individual (including a non-U.S. citizen), corporation, association, public interest group, or the media; a State, local, or foreign government; or an Indian tribe.

B. Record. Federal records include all books, papers, maps, photographs, machine-readable materials, or other documentary materials, regardless of physical form or characteristics, made or received by an agency of the U.S. Government under Federal law or in connection with the transaction of public business and preserved or appropriate for preservation by that agency or its legitimate successor as evidence of the organization, functions, policies, decisions, procedures, operations, or other activities of the Government or because of the informational value of the data in them.

C. FOIA Denial. Denial means to withhold access to records (in whole or in part) based upon any of the nine categories of statutory exemptions provided by the FOIA.

D. Open Government. Open Government is a level of openness intended to ensure the public trust by a system of transparency, public participation, and collaboration which will strengthen democracy and promote efficiency and effectiveness in Government.

7. **Responsibilities.**

A. The Director has responsibility for ensuring that all Bureau programs and activities are in compliance with the provisions of the FOIA and Federal/DOI regulations.

B. The Deputy Director has overall responsibility for ensuring that appropriate FOIA policies and procedures are planned and implemented in all Bureau activities and will designate the Bureau FOIA Officer.

C. The Bureau FOIA Officer carries out the responsibility of the Deputy Director for implementing the requirements of the FOIA and will do the following.

(1) Manage and administer the Bureau FOIA Program.

(2) Serve as the primary contact between the DOI ExecSec FOIA Officer and the Bureau for FOIA activities.

(3) Consult with the Solicitors Office for headquarters responsive records.

(4) Track and manage FOIA requests as received carrying out operational activities consistent with DOI/Department of Justice (DOJ) requirements.

(5) Provide guidance to headquarters and Regional FOIA officers.

(6) Provide advice on FOIA matters to Bureau personnel.

(7) Monitor FOIA electronic mailbox and disseminate requests to applicable region office.

(8) Disseminate new guidance/legislation from DOI/DOJ concerning FOIA law and amendments to all FOIA personnel.

(9) Maintain a FOIA public web site to ensure compliance with E-FOIA.

(10) Maintain an electronic database necessary for the preparation of annual reports to DOI/DOJ.

(11) Attend DOI/DOJ meetings/conferences and participate in FOIA workgroups.

(12) Function as the Bureau FOIA Public Liaison responding to inquiries from the public/FOIA requester community.

D. The Bureau Regional Directors are responsible for ensuring regional compliance with the FOIA program.

E. The Bureau Regional FOIA Officers are responsible for coordinating responses to FOIA requests that relate to their region's activities and for ensuring that the Bureau FOIA Officer is notified of all FOIA regional activities. Regional FOIA Officers are responsible for consulting with the Solicitor's Office.

F. All Bureau employees are responsible for communicating receipt of any FOIA request that they receive individually to the appropriate Bureau or Regional FOIA Officer. To ensure Open Government, the responsibility of effective administration of the FOIA belongs to everyone.

8. **Procedures.** The Bureau shall comply with all Federal and DOI FOIA policies and procedures by using DOI's "Freedom of Information Act Handbook, 383 DM 15, April 2004" to administer and implement the Bureau FOIA Program.