



OFFICE *of* GOVERNMENT INFORMATION SERVICES

April 29, 2016—sent via email to james.valvo@causeofaction.org

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Dear Mr. Valvo:

I write to follow up with you regarding your experience with the use of “still interested” letters by the Federal Emergency Management Administration (FEMA). We greatly appreciate your bringing this issue to our attention.

We are sorry to hear about your frustrating experience with FEMA. We contacted FEMA to discuss your case and learned that, as the agency informed you, your Freedom of Information Act (FOIA) request was closed as a result of an administrative oversight. FEMA assured us that it has reopened your request and returned it to the agency’s queue according to the day you originally filed the request. We learned that your request is among a group of requests from FEMA’s backlog that the Department of Homeland Security’s Privacy Office (PO) is processing under an interagency agreement. We understand from PO staff that your request is currently number 13 in its queue of FEMA requests. We also understand that PO and FEMA are collaborating on how to locate records responsive to your request.

As you know, in September 2015, we informed Karen Neuman, Chief FOIA Officer at the Department of Homeland Security (DHS), about FEMA’s practice of allowing requesters 10 days to respond to a still interested letter. We recommended that DHS update its policy to reflect the current Department of Justice guidance, which suggests allowing 30 days to respond to a still-interested letter. We will continue to work with FEMA and DHS to ensure that agencies appropriately use these letters. We will also continue to report on the use of these letters as a part of our agency FOIA compliance assessments.

Thank you, again, for your attention to this matter. If you have any questions, please do not hesitate to contact me at 202-741-5771 or at james.holzer@nara.gov.

Sincerely,

/S/

JAMES V.M.L. HOLZER
Director

