



OFFICE of GOVERNMENT INFORMATION SERVICES

February 21, 2017—sent via email

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Mr. James V.M.L. Holzer
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Dear Mr. Holzer:

This is in response to your February 3, 2017 letter regarding the recommendation of the Office of Government Services (OGIS) to improve the administration of the Freedom of Information Act (FOIA) by the Department of Homeland Security (DHS) Privacy Office. We appreciate your thorough response to our December 2016 FOIA compliance assessment and thank you again for participating in OGIS's agency compliance assessment program.

We have reviewed your responses and, as indicated on the enclosed form, we consider OGIS's recommendation for the DHS Privacy Office to be closed.

If you have any questions, please do not hesitate to contact Compliance Team Lead Kirsten Mitchell at 202-741-5775 or at kirsten.mitchell@nara.gov.

Sincerely,

ALINA M. SEMO
Director

cc: Jonathan Cantor, Acting Chief FOIA Officer, DHS
Rose Bird, Director, FOIA Policy and Training, DHS Privacy Office

Enclosure



**OFFICE OF GOVERNMENT INFORMATION SERVICES
FREEDOM of INFORMATION ACT COMPLIANCE ASSESSMENTS**

Department of Homeland Security Privacy Office: December 2016

Recommendation	Agency Response	Status
<p>Adopting a standard procedure and method for issuing guidance, as OIP does in issuing government-wide FOIA policy, would improve DHS components' compliance with FOIA and adherence to DHS FOIA policy. We recommend that the DHS Chief FOIA Officer adopt these practices. When warranted, issues of non-compliance should be raised to higher levels, including to the Secretary's office. The Privacy Office should also issue additional recommendations or corrective actions as necessary to bring components into compliance with the law and DHS policy.</p>	<p>Concur. The DHS Privacy Office took several steps to ensure that the FOIA program at the Department operates more efficiently. The Department finalized and issued the updated FOIA regulation to improve the management of the Department's FOIA program. The regulation was published in the Federal Register on November 22, 2016, and became effective on December 22, 2016. The regulation is the result of continuous collaboration and unity of effort across the Department. The DHS Privacy Office is currently drafting a management directive which directs components to comply with FOIA law and DHS policy.</p> <p>The DHS Privacy Office concurs with the recommendation when warranted, to raise issues of non-compliance, to higher levels, including to the Secretary's office. The DHS Privacy Office addresses issues with the component FOIA Officers and leadership as they arise and will continue to do so and elevate as necessary.</p> <p>The DHS Privacy Office concurs with the recommendation to issue additional recommendations or corrective actions as necessary to bring components into compliance with the law and DHS policy. The DHS Privacy Office addresses issues with the component FOIA Officers and leadership as they arise and will continue to do so and will issue additional recommendations as necessary to ensure compliance with the law. The DHS Privacy Office believes the recent issuance of the regulation will have a positive impact to ensure components are in compliance with the law.</p>	<p>Closed</p>