

FROM DOJ/OIP CHIEF FOIA OFFICER REPORTS (2019)

Combined Examples of FOIA Training Offered Referred to in Selected Reports

Section I, Question 4: [P]lease provide a brief description of the type of training attended or conducted and the topics covered.

DOJ/OIP Courses

--The Freedom of Information Act for Attorneys and Access Professionals: An overview of the FOIA's procedural requirements and exemptions, workshops on individual FOIA Exemptions, basic principles for processing FOIA requests from start to finish, the FOIA's proactive disclosure requirements, and the interface between the FOIA and the Privacy Act.

--Public Liaisons and FOIA Reference Services Center Training: Guidance on implementing a successful FOIA Public Liaison program, and best practices for processing FOIAs across the agency. FOIA Professionals Continuing Education: Advanced training on specific components of the FOIA, new court decisions, and successful implementation of other agency best practices.

-- FOIA Litigation Seminar: Guidance on successful litigation strategy, advanced litigation considerations, and details on the preparation of Vaughn Indices and declarations.

Graduate School USA: Freedom of Information and Privacy Acts: Learn How to Respond to Freedom of Information Act (FOIA) and Privacy Act (PA) requests. Become skilled at the proper release of records to the public while safeguarding necessary information.

American Society of Access Professionals (ASAP): Symposium and Training Conference: The flagship forum for the discussion of broad concepts, issues concerning government information, current and future trends in access and privacy, and best practices in these areas. The leaders in the access community concern themselves with much more than just the daily processing and practical applications of information access. They take the time to learn and understand more about the various issues that eventually shape the policies. The Symposium is designed for those persons who want to advance their awareness and understanding – hence, their careers – by listening, participating and learning the various positions and practicalities surrounding the hot topics of the day.

ASAP FOIA Training Webinars: Additional information on the courses can be found at <https://www.accesspro.org/programs/webinars.cfm>

ASAP Food for Thought Luncheon Series

NARA Intranet courses: NDC F201: FOIA for All Federal Employees Topics: General overview of FOIA; FOIA time limits; conducting searches; and reviewing records. NDC F202: FOIA 3 Training for FOIA Professionals, Topics: Government obligations; receiving and acknowledging requests; processing of requested material; statutory protections; good customer service; and agency accountability. (Both courses were created by the Department of Justice.) Access Policy Workshop.

AINS: FOIAXpress User Conference & Technology Summit 2018

Example of Labor Report for FOIA Training:

Tenth Annual FOIA Training Conference. On May 1, 2 and 3, 2018, the Office of the Solicitor hosted its Annual Freedom of Information Act (FOIA) Training Conference in Washington, D.C. The presenters included FOIA professionals from both the operations and the legal side, including the Director for the Office of Information Services, the Counsel for FOIA and Information Law, and the Counsel for FOIA Appeals, Paperwork Reduction Act, and Federal Records Act. * * * The lecture-style training was presented via webcast production and made available to approximately 400 Department of Labor FOIA contacts nationwide.

The three day event themed “FOIA 2018: Implementing FOIA with an Eye Toward Openness and Improved Processes” was designed to train Department of Labor access professionals on a variety of topics that included the following: FOIA Administrative Processing Overview; FOIA Exemptions Overview; FOIA Exemption 5; FOIA & Records Management Interface; Administrative Appeals & Litigation; FOIA Exemptions Overview; Fees & Fee Waivers; FOIA Exemption 4; E.O. 12,600 Process; Privacy Act Overview; Redaction Workshop; FOIA/Privacy Act Interface; FOIA Best Practices and Process Management; Exemption 7(D) and Investigative Files; Publishing to the Web; and, Practical Tips for Using the Department’s FOIA Tracking System, SIMS-FOIA.

Example of DHS Report for FOIA Training:

The DHS Privacy Office took several steps to meet the Chief FOIA Officer’s responsibility to “offer training to agency staff regarding their responsibilities.” The DHS Privacy Office required all full-time FOIA employees to complete the DOJ OIP FOIA Training for Federal Employees, which is available through the Department-wide online learning systems. The DHS Privacy Office monitored completion of the training through monthly reporting. In FY 2018 100 percent of DHS FOIA professionals completed the training, and through January 2019, 94 percent of DHS FOIA professionals completed this training.

Additionally, the DHS Privacy Office worked with the Office of Government Information Services (OGIS) to provide a DHS-specific training session on dispute resolution skills that was open to all DHS FOIA employees.

The DHS Privacy Office also:

- Provided staff training on:
 - o Exemption 4 in partnership with the Federal Emergency Management Agency (FEMA) FOIA Officer.
 - o Exemption 7 and an overview of the Alien file and U.S. Immigration and Customs Enforcement’s (ICE) operation in partnership with the ICE FOIA Officer.
- An Overview of the mission and structure of the Office for Civil Rights and Civil Liberties (CRCL) and the types of records under its purview in partnership with CRCL’s FOIA Officer, Programs Branch Director, Compliance Branch Director, and Deputy Director.
- Conducted biweekly New Employee Training on the FOIA along with best practices for safeguarding personally identifiable information.
- Met biweekly regarding its FOIA program and processing requests, and provided training in five of its meetings regarding general FOIA provisions, exemptions, appeals, and records searches.
- Sent all Privacy Office FOIA professionals to the ASAP National Training Conference.
- Ensured that contractors processing requests on behalf of the DHS Privacy Office have access to the training modules in the DHS Learning Management System.

As detailed below, Component FOIA Offices provided full-time and collateral FOIA staff training specific to each Component.

CBP: • Conducted numerous trainings, including training to all staff assigned to CBP FOIA Headquarters. Topics included an overview of the FOIA, exemptions and proper application, fee waiver determinations, fee categories, and requests for expedited treatment. • Hosted two representatives from the CBP Privacy Office to provide training on identifying and safeguarding personally identifiable information.

Cybersecurity and Infrastructure Security Agency (CISA): • Sent all full-time FOIA professionals to the ASAP National Training Conference.

Federal Emergency Management Agency (FEMA): • Sent FOIA professionals to FOIA training sessions provided by OIP (FOIA for Attorneys and Access Professionals and FOIA Litigation Seminar), OGIS, ASAP, and the U.S. Graduate School.

Federal Law Enforcement Training Centers (FLETC): • Sent FOIA professionals to the ASAP National Training Conference. • Provided FOIA staff with Certified Information Privacy Professional training opportunities.

Intelligence and Analysis (I&A): • Sent FOIA staff to multiple trainings, including the DOJ OIP FOIA training and the International Association of Privacy Professionals (IAPP) Conference. • Presented FOIA information and training at various times during the year to incoming employees and to management personnel. • Held a training event for Sunshine Week. ICE: • Conducted FOIA training to provide a basic understanding of FOIA procedural requirements and its exemptions during new employee orientations. • Conducted annual refresher training for FOIA staff. • Conducted training for program offices that support the FOIA office in searches for records.

Office of Inspector General (OIG): • Sent FOIA professionals to the following DOJ OIP training sessions: FOIA Training for Professionals; FOIA Litigation Seminar; Annual Report Refresher Training; Building a Great FOIA Program with Dispute Resolution Skills; and FOIA Best Practices Workshop. • Presented Annual FOIA Training for non-FOIA Professionals and FOIA Training for Attorneys. • Attended the Department of Commerce, Office of Privacy and Open Government FOIA Training.

Transportation and Security Administration (TSA): • FOIA professionals attended the following training sessions: Graduate School Freedom of Information and Privacy Act; ASAP National Training Conference; and various OIP sessions. • Provided training to FOIA professionals in the field and at headquarters. United States

Coast Guard: • Legal Service East Command conducted three FOIA training sessions on the following topics: o What is FOIA? o General provisions o Amendments o USCG policy o How to submit a FOIA request o Negotiated releases o Searching for responsive records o Reviewing and redacting records o Exemptions o Release and denial authority o What is a denial? o Justification memo o Fees and fee waivers o Expedited processing o Steps in processing a FOIA request o References and points of contact • Sent FOIA professionals to OIP's "Continuing FOIA Education" and the ASAP FOIA Training Workshop.

U.S. Citizenship and Immigration Services: • Hosted two DOJ OIP attorneys who provided all USCIS FOIA processors with one day of basic FOIA refresher training, and provided USCIS FOIA managers, supervisors, and senior staff members with a second day of advanced FOIA training. o Topics covered during the basic refresher training: ♣ Presumption of Openness and Achieving Transparency in FOIA ♣ Reasonably Segregable Obligation ♣ Exemptions 5, 6, and 7 ♣ FOIA-Privacy Act (PA) Interface o Topics covered during the advanced training: ♣ OIP Guidance and Resources ♣ FOIA Case Law Update ♣ Effective Communication with Requesters ♣ Exemption 5 and the Deliberative Process Prong 2019 Chief FOIA Officer Report Page 10 ♣ Exemption 6 ♣ Exemption 4 • Sent two members of the USCIS FOIA staff to the ASAP National Training Conference in Washington, DC. • Provided 10 USCIS FOIA employees with Certified Information Privacy Professional/ Government (CIPP/G) training.

United States Secret Service (USSS):

Provided six training classes for employees in the Inspection Division and two training classes for employees in the Management Division. The training included an overview of the FOIA statutes and guidelines; FOIA/PA (Privacy Act) interface and compliance regarding PII. The training also focused on internal/external administrative practices and procedures, types of records gathered by USSS in its protective and investigative missions, and the processing of agency records involving other agency equities.

Provided one training class on the USSS's tracking and processing solution for FOIA staff.