#### National Archives and Records Administration

Federal Records Management Level 1: Maintenance and Use

Participant Guide

Module 8: Manage FOIA Requests

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# Module 8: Manage FOIA Requests

## Task Goal

Given a Freedom of Information Act (FOIA) request, you will be able to provide records to the FOIA team in a timely fashion.

### Task Objectives

* Discuss possible consequences of not being able to respond to a FOIA request
* Locate records requested under FOIA
* Deliver records to the FOIA team

## Importance of FOIA

What is the importance of FOIA? What are the consequences if your agency is not able to respond to FOIA requests in a timely manner?

## FOIA Basics

## Requests – Notes

## The Search

1. Review the request
2. Create your search strategy
   1. Determine keywords and search terms
   2. Review records schedules, file plans, data maps
3. Look for the records

## FOIA Sample Request

Text of request: Defenders of Wildlife respectfully requests copies of records held by the Department of the Interior, U.S. Fish and Wildlife Service pertaining to the removal of the Gray Wolf Northern Rocky Mountain Distinct Population Segment from the list of endangered species.

## Determine Search Terms – Notes

## Review Records Tools – Notes

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## File Plan for FOIA Sample Request

| Organization: Agency for Wildlife Management, Laguna Niguel Office File Plan |
| --- |
| Last updated: October 1, 2017 |
| Prepared by: Rick Ords, phone 7-5555 |
| Reviewed by: Manny Jurr |

| **File Code** | **Series Title/Description** | **Filing and Disposition Instructions** | **File Location** |
| --- | --- | --- | --- |
| 2.01 | Training Aids File  Files include a copy of each manual, syllabus, textbook, audio-visual aid, substantive handout, and other training aid generated by or on behalf of the Service in the process of satisfying its training requirements. | File by training title.  Review annually. Destroy material as it becomes or obsolete or is superseded.  Disposition Authority: NC1-022-78-01 | Central files area, room 205, Cabinet 5, drawers 1-3. |
| 2.03 | Report of Accident/Incident Files  Each file contains completed forms, D1-134 and 134C. These forms are completed and forwarded to the Washington Safety and Security Office on each occasion of an on-the-job accident, illness, or injury involving a Service employee. These forms provide such information as employee identity and the date, time, location, and circumstances of the event reported. | File by case number.  Transfer record to FRC 2 years after close of case. Destroy 6 years after close of case.  Disposition Authority: NC1-022-78-01 | Central files area, room 205, Cabinet 2, drawers 1-2. |
| 2.04 | Endangered and Threatened Species Files.  Records include correspondence, memoranda, directives, reports, analyses of raw data, and other substantive technical or scientific documentation utilized in screening candidate species and conducting status surveys to determine which species should be listed as threatened, endangered, or reclassified. | File by scientific name of species.  Cut off file annually. Destroy 40 years after file cutoff.  Disposition Authority: NC1-022-78-01 | Central Files area, room 205, Cabinet 1, drawers 1-2 |
| 2.07 | Special Land Use Permit Files.  Files include materials relevant to the granting or denying of permission to use Service real estate for a variety of special uses, including, but not limited to, agriculture, grazing, mining, and road, water, and power line construction | Approvals:  Destroy 2 years after permit expiration or when no longer needed for reference, whichever occurs sooner.  Denials:  Destroy 1 year after action is taken.  Disposition Authority: NC1-022-78-01 | Central Files area, room 205, Cabinet 2, drawer 3 |
| 2.09 | Sea Lamprey Data.  Electronic records containing sea lamprey population data in the Great Lakes. Physical characteristics, living environment, and methods of collection are identified. This dataset is used to study population dynamics and the impact of sport and commercial fishing on the population. | Review annually. Destroy material which no longer serves the purpose for which it was created.  Disposition Authority: N1-022-90-001 | K:RecreationStudies\Fishing\LampreyData |
| 2.10 | Endangered Species Recovery Plans. Records include correspondence, memoranda, directives, reports, analyses of raw data, and other substantive technical or scientific documentation utilized in the development and implementation of recovery plans for the restoration of endangered native species. These plans include, but are not limited to, proposals for corrective measures and recommendations for land acquisition, management actions, and other efforts designed to enhance the status of a particular species. | File by scientific name of species.  Permanent.  Cut off files annually. Transfer to FRC 4 years after cutoff. Offer to NARA 9 years after cutoff.  Disposition Authority: NC1-022-78-01 | Central Files area, room 205, Cabinet 4, drawers 3; |
| 2.11 | Forestry Records.  Documents the forestry functions of the Service and includes material on the prevention and control of forest fires, fire damage, forestry and land conservation, and forest pest control. | Review file annually. Destroy material when 5 years old or when it no longer serves the purpose for which it was created, whichever occurs first.  Disposition Authority: N1-022-90-001 | Central Files area, room 205, Cabinet 4, drawers 4 |
| 2.12 | Population Surveys.  Data concerning population trends, abundance, and distribution of animals, fish, and migratory and non-migratory birds. | Destroy 3 years after data from survey is published or summarized in a report.  Disposition Authority: NC1-022-78-01 | K:PopulationSurveys\UnitedStates |
| 2.13 | Bird Banding Summaries.  File includes a summary of the participation of each bander who is identified by permit number. | Review annually and destroy files that no longer serve the purpose for which they were created.  Disposition Authority: NC1-022-78-01 | Central Files area, room 205, Cabinet 6, drawers1-3 |
| 2.15 | Real Property Files.  Records include, but may not be limited to, site maps and surveys, plot plans, diagrams or blueprints of major structures, utility outlet plans, and equipment management and maintenance records, allowance lists, and the title. | Retain until property is no longer under Service custody. Transfer to new custodian upon completion of sale, trade, or donation proceedings or acceptance of purchase monies.  Disposition Authority: N1-022-90-001 | Central Files area, room 205, Cabinet 6, drawer4 |
| 2.19 | Congressional Inquiry Files.  Consist of inquiries and responses thereto along with substantive supporting documentation, if any. | Destroy when 3 years old, or when no longer required for reference, whichever occurs first.  Disposition Authority: NC1-022-78-01 | Central Files area, room 205, Cabinet 7, drawers1-4 |
| 2.21 | Animal Damage Control Central File. File documents Service activities that are directed toward the reduction of animal damage to livestock, agriculture, natural resources, and human beings. | Permanent.  Cut off file annually. Transfer to FRC 3 years after cutoff. Send to NARA when 8 years old.  Disposition Authority: NC1-022-78-01 | Central Files area, room 205, Cabinet 2, drawer 4 |

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## Look for Records – Notes

## Delivery

* Document your search
  + Locations searched
  + Search strategy used
  + Amount of time
* Make copies
* Deliver files

## FOIA Search Practice: Sample Request

The sample FOIA request reads:

Tracking Number: DOC-Agency for Natural Resources Protection-2020-000125

Request Information

Full Name: Ms. Sandy Shore

Organization: Environmental Advocates

Date Submitted: 6/22/2020

Please provide all documents prepared or utilized by, in the possession of, or routed through Agency for Natural Resources Protection on or after August 19, 2015 related to the State of Oregon’s Coastal Nonpoint Pollution Control Program, which was created as part of the Coastal Zone Management Program.

## FOIA Search Practice: Determine Search Terms

## FOIA Search Practice: Review Records Tools

## File Plan for FOIA Search Practice

| Organization: Agency for Natural Resources Protection, Portland Field Office |
| --- |
| Last updated: October 1, 2017 |
| Prepared by: Jonah Wales, phone 6-1010 |
| Reviewed by: Wade Htoughoh |

| **File Code** | **Series Title/Description** | **Filing and Disposition Instructions** | **File Location** |
| --- | --- | --- | --- |
| 1609-10 | Coastal Zone Management Program Files.  The Final Program Document that was signed by the Secretary of Commerce approving the states' coastal zone management program. This may be a Final Environmental Impact Statement or another final document created by the state | Permanent. Cut off at the end of the calendar year In which the corresponding site IS no longer designated part of the Coastal Zone Management Program Transfer to NARA 10 years after cutoff.  Disposition Authority: N1-370-02-04 | Central files area, room 208, Cabinet 1, drawers 1-3 |
| 1609-20 | Volunteers – Programmatic.  Data collected and correspondence associated with scientifically trained volunteers in the Marine Sanctuaries. | Cut off annually. Destroy 20 years after cut off or when no longer needed, whichever is later.  Disposition Authority: N1-370-02-04 | Central files area, room 208, Cabinet 2, drawers 1-3 |
| 1609-30 | Diving Manuals and Handbooks (record copies).  The original file copy of all agency directives, bulletins, organization manuals, charts, and similar manuals related to divers and diving. | Permanent.  Transfer to Records Holding Area when superseded. Send to National Archives 3 years after being superseded.  Disposition Authority: N1-370-02-04 | Central files area, room 208, Cabinet 2, drawer 4 |
| 1609-40 | Coastal Non-point Pollution Control Program Files.  Documents associated with the program requirement of developing coastal nonpoint pollution control programs. These documents Include the Environmental Assessment, approved state plan and findings of approvability. | Permanent.  Cut off at the end of the calendar year In which the corresponding site is no longer designated part of the Coastal Zone Management Program. Transfer to NARA 10 years after cutoff.  Disposition Authority: N1-370-02-04 | Central files area, room 208, Cabinets 3 and 4, drawers 1-4 |
| 1609-50 | Precipitation Frequency Data. Data relate to estimates of precipitation amounts for particular locations, durations, probabilities, and extremes. The data is used in generating studies used in designing structures such as dams. They are performed for site-specific areas. | Cut-off at end of year when data is used in a study. Delete files 3 years after study is published.  Disposition Authority: N1-370-02-04 | K:Engineering\Precipitation\Data |
| 1609-70 | Case Files – Grants to States.  Case files documenting grants to states for: (1) development and imp1imentation of Coastal Zone Management Programs; and (2) acquisition, development, or operation of estuarine sanctuaries. Files may contain applications, plans, financial reports, and related correspondence. | Cut off at close of grant, hold 3 years inactive, then destroy 8 years after close of grant.  Disposition Authority: N1-370-02-04 | Check-out card indicates some folders are with Ed Money, Grant Manager, Room 315 |
| 1610-30 | Submersible Program Files.  Files concerning status of submersibles of educational institutions, industry, other agencies, etc. | Destroy 5 years after related submersible is scrapped.  Disposition Authority: N1-370-04-08 | Central files area, room 208, Cabinet 7, drawer 4 |
| 1610-70 | Planning and Program Development – Coastal Zone Management. Correspondence and comments related to the review of Coastal Zone Plans for each State. Includes one copy of each approved final plan. | Cut off at end of fiscal year. Destroy 3 years after cutoff.  Disposition Authority: N1-370-04-08 | Central files area, room 208, Cabinet 9, drawers 1-2 |
| 1610-80 | Special Studies conducted in support of the Coastal Zone Management Program. Files include proposal, copy of contract, activity reports, and final reports. | Transfer to Records Holding Area when no longer needed. Send to NARA when 20 years old.  Disposition Authority: N1-370-04-08 | Central files area, room 208, Cabinet 9, drawers 3-4 |
| 1610-90 | Hydrographic Surveys.  The hydrographic survey function coordinates the acquisition and processing of precisely located geographic data In the marine environment. Records are used in production of nautical charts, and in work with the fishing industry and with coastal zone managers. | Digital files. Transfer snapshot to NARA every 10 years.  Disposition Authority:  N1-370-04-08 | K:HydrographicSurveys/AllAreas |
| 1620-20 | Land Management Public Comments. Contains comments from the public which must be considered in the development of plans, and correspondence documenting response and status information. | Destroy when 25 years old.  Disposition Authority:  N1-370-04-08 | Central files area, room 209, Cabinet 1, drawers 1-3. |
| 1620-30 | Equipment Control Files.  Controls maintained by office for equipment under its accountability, including cards, lists, and receipts. | File by equipment control number and name.  Cut off when equipment is removed from office’s control. Destroy 2 years later.  Disposition Authority: N1-370-04-08 | Central files area, room 209, Cabinet 2, drawers 1-3. |

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## FOIA Search Practice: Look for Records

## FOIA Search Practice: Document the Search

# Module 8 Assignments

You have two options for the assignment for this module:

* **Option 1**: Explore the At-a-Glance Agency Report for your agency at https://www.foia.gov/reports.html by selecting the Find An Agency Report button, then selecting your agency’s name from the list. Note the number of requests in backlog, the requests granted, and any other information of interest to you.
* **Option 2**: Explore the “Learn about FOIA” section of the FOIA.gov site. Review the “What is FOIA?” page and the “Frequently Asked Questions” page. Both can be found on FOIA.gov under the “Learn about FOIA” menu.
* If you haven’t done so already, locate your agency’s FOIA points of contact, policies, and procedures. Review them and think about how FOIA works for your agency’s records.