

## **U.S. African Development Foundation**

### **Chief FOIA Officer Report, March 2018**

**Chief FOIA Officer: June B. Brown, General Counsel, USADF**

#### **Presumption of Openness and Increasing Proactive Disclosures**

In line with the Open Government Directive, M10-06, and USADF's guiding principle under the Freedom of Information Act (FOIA) of a presumption of openness in informing the public, USADF seeks to increase the types, quality and quantity of information readily available on its website, [www.usadf.gov](http://www.usadf.gov). Updates take place throughout the year on a regular basis.

The Chief FOIA Officer confers periodically with Senior Management on reviewing agency records to recommend, in the interest of openness and transparency, discretionary releases of information by USADF.

USADF's website emphasizes USADF's commitment to maintaining the highest level of transparency, participation and collaboration as the cornerstone of "Open Government". As stated on the website,

Transparency promotes accountability by providing the public with information about what the Government is doing;

Participation allows members of the public to contribute ideas and expertise so that their government can make policies with the benefit of information that is widely dispersed in society;

Collaboration improves the effectiveness of Government by encouraging partnerships and cooperation within the Federal Government, across levels of government, and between the Government and private institutions.

The myriad of information readily available to and accessible by the public on the website includes information on USADF's policies, programs, Board of Directors and staff, projects funded, news releases, photographs, grant applications, links to relevant statutes and reports, and operational information on budgets and audits.

USADF's website contains shortcuts to items of interest to the public. The website has a link for contacting USADF: [info@usadf.gov](mailto:info@usadf.gov). The categories of information available are clearly indicated and accessible in headings that run across the top of the first page: "Home", "Who We Are", "Where We Work", "Our Impact", "Sectors", "Work with Us", and "Media". The full text of USADF's authorizing statute, the ADF Act, is found on the website: [www.usadf.gov/adf-act/](http://www.usadf.gov/adf-act/).

The "Impact" section summarizes the results of USADF's initiatives and gives prominence to USADF's Annual Congressional Budget Justification, with not only a summary, but the full text, readily accessible. The Open Government Statement is found here, under "Oversight". This section also contains program and financial audits and all the agency's FOIA reports required to be posted: annual reports, Chief FOIA Officer Reports, and quarterly reports. USADF's No

Fear Act data is updated on a quarterly basis on the website. USADF's several policies and notices under the Equal Employment Opportunity, anti-discrimination, and whistleblower protection laws are on the website.

The "Media" section of the website provides easy access to all agency press releases and media coverage. It also has a Blog featuring stories on USADF projects and inviting feedback from the public.

USADF's website has a contact form for the general public, easily accessible at the top of the website: "Sign up to receive the latest news and updates from the U.S. African Development Foundation!" The form is designed to provide the public access to the sources at USADF with the knowledge and information most relevant to what the requester is seeking.

"Where We Work" has comprehensive maps that show the location of USADF projects throughout sub-Saharan Africa and also provide details on each project and a link to the contact form.

The "Sectors" section describes USADF's work in agriculture, off-grid energy, and youth-led enterprises.

In the section "Work with Us", potential grantees can obtain ready access to grant applications and instructions, in both English and French, at: [www.usadf.gov/apply/](http://www.usadf.gov/apply/). That section also lists employment opportunities at USADF.

USADF uses social media platforms to make current program information readily available, including Instagram, Twitter, Facebook and YouTube. The website includes an "Events" section to notify the public of important dates and events regarding USADF and foreign assistance to Africa in general. The number of people being reached through Twitter and Facebook with information about USADF's program continues to grow each year. The website works effectively with various browsers, thus increasing the public's accessibility to information on USADF. It is both desktop- and mobile-friendly. It is designed so search boxes can be easily added and information can be readily changed and updated.

During the past year, USADF's updated FOIA regulations were published in the Federal Register and in the Code of Federal Regulations at 22 C.F.R. Part 1502.

### **Timeliness in Responding to Requests**

USADF received 14 FOIA requests in Fiscal Year 2017, 12 of which were processed as simple requests in 20 working days or less. The average number of days to process these simple requests was 13.7 days, as reported in USADF's Fiscal Year 2017 Annual FOIA Report. Of the 2 complex requests, one was processed in 19 days, and the other was processed in 30 days.

USADF did not adjudicate any requests for expedited processing during Fiscal Year 2017. Likewise, in Fiscal Years 2016, 2015, 2014 and 2013, USADF had no requests for expedited processing. In Fiscal Year 2012, USADF had one request for expedited processing. It was able

to respond to the request as a whole in 3 days, *i.e.*, within the 10 or less calendar days specified for expedited processing, without having to adjudicate the specific request for expedited processing. Two simple requests that were received late in Fiscal Year 2017, on September 13 and September 19, respectively, were fully processed and received responses within 20 business days, on October 11, 2017.

As reported in Section XII of USADF's Annual FOIA Report, USADF did not receive any FOIA administrative appeals or any consultations in Fiscal Year 2017. In addition, there were no pending consultations from other agencies at the start or at the end of Fiscal Year 2017. Likewise, USADF had no backlogs of requests or administrative appeals at the end of Fiscal Year 2016 or Fiscal Year 2017. USADF has not encountered any obstacles to closing pending FOIA requests, administrative appeals or consultations during the past year.

USADF's current FOIA system continues to operate efficiently and effectively in that it responded in Fiscal Year 2017 to all requests received in Fiscal Year 2017. It responded to all simple requests within 20 business days, and the longest response time for one of its two complex requests was 30 days.

### **Greater Utilization of Technology and an Effective System for Tracking and Responding to Requests**

USADF expanded its use of social media platforms to make current program information readily available. USADF's website has a contact form for the general public, easily accessible at the top of the website: "Sign up to receive the latest news and updates from the U.S. African Development Foundation!" "Where We Work" has comprehensive maps that show the location of USADF projects throughout sub-Saharan Africa and also provide details on each project and a link to the contact form. The website also contains a link for contacting USADF: [info@usadf.gov](mailto:info@usadf.gov).

In the section "Work with Us", potential grantees can obtain ready access to grant applications and instructions, in both English and French, at: [www.usadf.gov/apply/](http://www.usadf.gov/apply/).

The text of the website is easily readable and the reports provided (FOIA Annual and Quarterly Reports, Chief FOIA Officer Reports, Congressional Budget Justification, program and financial audits, and other reports) are readily accessible to the public and in-house users at: [www.usadf.gov/oversight/](http://www.usadf.gov/oversight/).

The website works effectively with various browsers, thus increasing the public's accessibility to information on USADF. It is both desktop- and mobile-friendly. It is designed so search boxes can be easily added and information can be readily changed and updated.

In accordance with OIP guidance, USADF created .zip files for its quarterly FOIA reports for Fiscal Year 2013 through the current Fiscal Year. The directory, [www.usadf.gov/oversight/](http://www.usadf.gov/oversight/), contains the FOIA quarterly and other reports.

USADF responded by email to all but one of the 14 FOIA requests it received in Fiscal Year 2017. It responded by regular mail to the one request which did not provide an email address.

During the past year, when USADF's IT team made Sharepoint available to all staff, the FOIA team began using the Sharepoint/General Counsel portal as a repository for the FOIA tracking log, all FOIA requests and responses, and the FOIA calendar. USADF's FOIA team consists of the Chief FOIA Officer (General Counsel) and the FOIA Public Liaison (Attorney-Advisor).

USADF's FOIA repository/database includes: a FOIA tracking log; copies of FOIA requests; copies of responses, including responsive documents (if any) provided to the requester; and a FOIA reminder calendar on due dates for FOIA responses.

The FOIA tracking log and FOIA reminder calendar are updated as soon as a request is received in the USADF FOIA Office (Office of General Counsel). The tracking log is maintained on a Fiscal Year basis, in both electronic and manual format, and has the following information:

- Request tracking number: e.g., FOIA-17-01 (fiscal year and number of request in that year);
- Whether Simple (S) or Complex (C);
- Whether requester asking for Fee Waiver (FW) and/or Expedited Processing (E);
- Date of request;
- Date request received in USADF FOIA Office;
- Name and, if applicable, affiliation of requester;
- Description of records sought;
- Date of response and method (email, letter, hand delivery);
- Response Status:
  - Granted/Denied/No Records;
  - Any exemption applied;
  - Whether request for expedited processing and/or fee waiver granted.

A copy of the FOIA request is uploaded in the repository/database as soon as it is received and the tracking log is updated. After a FOIA team member has drafted the FOIA response, including copies of any responsive documents, the other team member reviews the response for accuracy and completeness before the response is sent out. USADF's responses to FOIA requests, including any responsive documents, are uploaded in the repository/database as soon as a response is provided.

Toward the end of the year, USADF took steps to become part of the new National FOIA Portal required by the FOIA Improvement Act of 2016.