

U.S. African Development Foundation

Chief FOIA Officer Report, March 2019

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. 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, as well as a "Contact Us" button for the public to specify areas of interest and request additional information. 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/.

During the past year, USADF added a Fact Sheet link on the opening page of the website. The Fact Sheet consolidates key data on: Resources: how much USADF invests in its programs and projects; Results: the impact of USADF's projects on the beneficiaries in Africa; and Reach: the countries in sub-Saharan Africa where USADF operates. The opening page also highlights three

key program areas: agriculture, to end hunger and “feed the future”; youth entrepreneurship, to tackle youth unemployment in Africa; and off-grid energy, to provide electricity for homes and businesses in remote communities.

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, as well as USADF’s 2018 Operating Plan. 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 as well as an Archive of press releases and blog posts.

In the section “Work with Us”, potential grantees can obtain ready access to grant applications and instructions, in both English and French. Application guidelines for special programs, such as an off-grid energy program in Nigeria and a small grants facility for climate resilient agriculture projects in Niger, specify the criteria for applying to those programs.

USADF uses social media platforms to make current program information readily available. The number of people being reached through social media 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.

At the end of the past year, USADF launched a process to revamp its website and increase proactive disclosures of information.

Timeliness in Responding to Requests

USADF received 6 FOIA requests in Fiscal Year 2018 and processed 8 requests, including 2 that had been received late in Fiscal Year 2017. Seven requests were processed as simple requests and one was processed as a complex request. There were no requests pending at the end of Fiscal Year 2018. The average number of days for USADF to respond to the simple requests was 12 days. USADF responded to the complex request in 31 days.

USADF did not adjudicate any requests for expedited processing during Fiscal Year 2018. Likewise, in Fiscal Years 2017, 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.

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 2018. In addition, there were no pending consultations from other agencies at the start or at the end of Fiscal Year 2018. Likewise, USADF had no backlogs of requests or administrative appeals at the end of Fiscal Year 2017 or Fiscal Year 2018. 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 timely in Fiscal Year 2018 to all requests received in Fiscal Year 2018.

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. The website contains a link for contacting USADF: info@usadf.gov and a "Contact Us" button for the public to specify areas of interest and request additional information.

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/.

The text of the website is easily readable and the reports provided (2018 Operating Plan, 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/.

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/, contains the FOIA quarterly and other reports.

USADF responded by email to all FOIA requests it received in Fiscal Year 2018.

During the past year, the FOIA team continued to use USADF's 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 joined the National FOIA Portal as required by the FOIA Improvement Act of 2016.

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-18-01 (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.