

- Information that is prohibited from disclosure by another Federal law
- Trade secrets and other confidential business information
- Privileged interagency/intraagency documents: deliberative process privilege, attorney work-product privilege, and attorney-client privilege
- Information that would constitute a clearly unwarranted invasion of personal privacy
- Records or information compiled for law enforcement purposes
- Information relating to regulation or supervision of financial institutions
- Geological and geophysical information on wells

What will happen if I am maintaining records responsive to a FOIA request?

Expect a FOIA representative to contact you to discuss a few preliminary items. It is helpful if you can provide the following information:

- An estimate of how many responsive records there might be (for example, 2 boxes, 1 filing cabinet)
- Whether these documents in whole or part are releasable (Do you expect any exemptions to apply?)
- If you believe other programs within the USGS may have documents

What will ensure a smooth FOIA processing experience?

- Be sure that your office's records are organized and maintained in accordance with USGS records management policies (<http://internal.usgs.gov/gio/irm/files.html>).
- Do not withhold bureau records merely because of embarrassment, because errors and failures

might be revealed, or because of speculative or abstract fears. The FOIA representative, in conjunction with the Office of the Solicitor, as needed, will render the release decision.

- Be cognizant of the date ranges and scope of materials requested in the FOIA request.
- Inform your FOIA representative if you believe other DOI offices might have responsive records.
- Unless otherwise specified, please provide documents from everyone within your office.
- Let the FOIA representative know if a public version of the requested document already is available on a USGS Web site.
- Be aware that SMEs working on a FOIA request for documents must track their time spent, locations searched, key words searched, and names of employees who helped with the search.
- Please inform a FOIA representative if you are aware of a law that prohibits disclosure of the responsive information. The USGS and the work we produce are governed by many policies and laws.
- Let the FOIA representative know if the request appears overly broad. Frequently, this representative can work with the requester to reduce the scope of the request.
- Do not withhold materials from your FOIA representative that you believe will be protected under a FOIA exemption. The FOIA representative, in conjunction with the Office of the Solicitor, as needed, will render a release decision.

Additional FOIA Resources

USGS FOIA officer: foia@usgs.gov

USGS FOIA Web site and reading room:
<http://www.usgs.gov/foia/>

DOI FOIA Web site: <http://www.doi.gov/foia/>

U.S. Department of Justice FOIA Web site:
<http://www.justice.gov/open/foia.html>

FOIA

Freedom of Information Act

Employee Responsibilities



The U.S. Geological Survey (USGS) is a science organization in the Department of the Interior (DOI) that provides impartial information on the health of our ecosystems and environment, the natural hazards that threaten us, the natural resources we rely on, the impacts of climate and land-use change, and the core science systems that help us provide relevant, timely, and usable information.



What is the Freedom of Information Act?

The Freedom of Information Act (FOIA), 5 U.S.C. § 552, as amended, generally provides that any person has a right to request access to Federal agency records. FOIA also establishes a presumption that Federal agency records should be accessible, except to the extent the records are protected from disclosure by any of the nine exemptions or by one of three special law enforcement record exclusions.

Why is information disclosure so important to the USGS?

The primary currency of the USGS is information. The USGS proactively promotes information disclosure as inherent to its mission of providing objective science to inform decisionmakers and the general public. USGS scientists disseminate up-to-date and historical scientific data that are critical to addressing national and global priorities.

What USGS documents are subject to FOIA?

Records subject to a FOIA request must be created or obtained by the USGS in the transaction of official business and under agency control at the time of the request. Such records include all books, papers, maps, charts, plats, plans, architectural drawings, photographs, microfilm, machine-readable materials such as magnetic tape and disks, electronic records (including e-mail messages), audiovisual material, sound and video recordings, and all other documentary materials regardless of physical form, format or characteristics.

What are the FOIA responsibilities of USGS employees?

- If you receive a FOIA request, promptly notify a USGS FOIA representative (available at <http://www.usgs.gov/foia/>).
- Provide requested information to the FOIA representative in a timely manner.
 - Respond in a timely manner to prevent unnecessary litigation costs to the bureau.
 - Comply with the General Steps to Process a FOIA Request (listed below).
- Properly maintain records and files pertaining to your USGS official duties. The bureau records you maintain are the property of the Federal Government.

What are the general steps to process a FOIA request?

- A request is received in writing via e-mail, facsimile, or postal mail (no verbal requests are accepted). For more information on how to submit a FOIA request, please visit: <http://www.usgs.gov/foia/>.

- FOIA representative analyzes the request to determine the appropriate program office likely maintaining the responsive records.
- FOIA request is routed to program office and a subject matter expert (SME) is identified.
- FOIA representative collaborates with SME to identify responsive records.
- SME collects responsive documents from within the program office and reviews and flags documents for possible withholding in whole or in part.
- SME routes responsive documents to FOIA representative.
- FOIA representative reviews each document to identify materials that would clearly constitute an unwarranted invasion of personal privacy (Personally Identifiable Information, PII) and flags other material that may require DOI attorney review.
- FOIA representative collaborates with DOI attorneys to invoke exemptions (see below), as appropriate.
- FOIA representative performs the final review of documents and prepares the response letter to the requester.
- Two copies of documents are made: original version and redacted (withheld) version, if applicable. A copy of each is maintained for every request in the FOIA Office.
- Final response package is sent to requester.
- Requester has 30 days from the final response letter to appeal any withholdings.

What are the nine FOIA exemptions?

- Classified national defense and foreign relations information
- Internal agency personnel rules and practices