



## **PRIVACY AND CIVIL LIBERTIES OVERSIGHT BOARD**

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### ***2017 Chief FOIA Officer Report***

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# PRIVACY AND CIVIL LIBERTIES OVERSIGHT BOARD

(Small-Volume Agency)

## 2017 CHIEF FOIA OFFICER REPORT

Chief FOIA Officer: Lynn Parker Dupree, Deputy General Counsel

### Introduction

The Privacy and Civil Liberties Oversight Board (“PCLOB” or “Board”) continued to implement President Obama’s Freedom of Information Act (“FOIA”) Memorandum and the Department of Justice’s (“DOJ”) 2009 FOIA Guidelines throughout the reporting period (March 2016-March 2017). The PCLOB’s fulfillment of the President’s memorandum and the DOJ’s guidance included training of the Board’s FOIA professionals, implementation of the requirements of the FOIA Improvement Act of 2016, the use of technology, and timely processing of requests and administrative appeals.

### Training

One hundred percent of the Board’s FOIA professionals attended FOIA training during the reporting period, including advanced Freedom of Information Act and processing of FOIA requests and administrative appeals training. This number is up from 75 percent reported in the 2016 Chief FOIA Officer Report.

### FOIA Improvement Act of 2016

The PCLOB is working towards compliance with the FOIA Improvement Act of 2016. In this regard, the Board approved a revised Freedom of Information Act Regulation on Jan. 6, 2017, which is currently being processed for publication in the Federal Register. This was the first major revision to the PCLOB’s FOIA regulation since the Board published its original regulation on Nov. 8, 2013. The revised regulation and the accompanying FOIA Reference Guide seek to provide requesters with more detailed and easier-to-understand information regarding the Board’s FOIA practice, in addition to complying with the new requirements of the FOIA Improvement Act. The PCLOB’s FOIA regulation and Reference Guide are available at <https://www.pclob.gov/library>.

### Presumption of Openness

As described in previous Chief FOIA Officer Reports, the presumption of openness is an inherent principle of the PCLOB’s FOIA practice. Throughout the reporting period, the PCLOB continued to proactively post information about the Board’s activities on its website, <https://www.pclob.gov>. Further, the Board Members will continue to consider ways to make the PCLOB’s website more useful and user-friendly, including identifying and making readily accessible proactively disclosed documents.

### FOIA Process

In addition to revising the Board’s FOIA regulation, as the Board continues to build the agency, its FOIA process and practice have become more streamlined. As noted in the PCLOB’s Annual FOIA Report for Fiscal Year 2016, the Board had no backlogs at the close of fiscal year 2016. The PCLOB strives to ensure that it has an

effective process in place for processing FOIA requests and administrative appeals, including meaningful customer service. The Board's FOIA Officer, FOIA Public Liaison, and Chief FOIA Officer are available to assist requesters with identifying the information they seek from the PCLOB, working through questions regarding productions and redactions, and processing requests and appeals within the statutorily prescribed timeframes.

## Conclusion

As the Privacy and Civil Liberties Oversight Board continues to grow, the Freedom of Information Act remains at the forefront of its priorities. The Board has a statutory mandate, to the extent it can do so consistent with its obligations to protect classified and other sensitive information, to inform the public. 42 U.S.C. § 2000ee(f). The disclosure of information pursuant to Freedom of Information Act requests and through proactive disclosures is one of the primary ways in which the PCLOB satisfies its obligation to inform the public.