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Description of document: US Geological Survey (USGS) quarterly FOIA program reports: USGS Accomplishments, FY 2015-2016

Requested date: 01-November-2016

Released date: 04-November-2016

Posted date: 12-June-2017

Source of document: Freedom of Information Act Request
USGS FOIA Officer
Mail Stop 807
National Center, Reston, VA 20192

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United States Department of the Interior

U. S. GEOLOGICAL SURVEY
Office of Enterprise Information
Box 25046, Denver Federal Center, MS 406
Denver, CO 80225-0046

Transmitted via Email

November 4, 2016

REF: USGS-2017-00015

This letter is in response to your Freedom of Information Act (FOIA) request, dated November 1, 2016, and assigned Request No. **USGS-2017-00015**. You requested the following information:

a copy of the weekly, biweekly and monthly internal administrative status reports on the USGS FOIA program produced by USGS for the Interior Departmental Offices, during the time period calendar years 2015 and 2016.

We have classified you as an “other-use” requester. As such, we may charge you for some of our search and duplication costs, but we will not charge you for our review costs. You are also entitled to up to two hours of search time and 100 pages of photocopies (or an equivalent volume) for free. See 43 C.F.R. § 2.39.

The U.S. Geological Survey (USGS) does not prepare administrative status reports at the frequency requested; however, USGS does provide quarterly FOIA reports to the Department of the Interior. We are providing the quarterly FOIA reports for FY 2015 and FY 2016, with the exception of the FY 2016 4th Quarter Report, which has not been completed as of the date of your request. We have attached one portable document format (PDF) file consisting of 37 pages, which is being released to you in its entirety.

You have agreed to pay up to **\$25.00** for the processing of your request; however, we do not bill requesters for FOIA processing fees when their fees are less than \$50.00, because the cost of collection would be greater than the fee collected. See 43 C.F.R. § 2.37(g). The records search did not exceed two hours; therefore, there is no billable fee for the processing of this request.

You may appeal this response to the Department’s FOIA/Privacy Act Appeals Officer. If you choose to appeal, the FOIA/Privacy Act Appeals Officer must receive your FOIA appeal **no later than 90 days** from the date of this letter. Appeals arriving or delivered after 5 p.m. Eastern Time, Monday through Friday, will be deemed received on the next workday.

Your appeal must be made in writing. You may submit your appeal and accompanying materials to the FOIA/Privacy Act Appeals Officer by mail, courier service, fax, or email. All communications concerning your appeal should be clearly marked with the words: "FREEDOM OF INFORMATION APPEAL". You must include an explanation of why you believe the USGS's response is in error. You must also include with your appeal copies of all correspondence between you and USGS concerning your FOIA request, including your original FOIA request and USGS's response. Failure to include with your appeal all correspondence between you and USGS will result in the Department's rejection of your appeal, unless the FOIA/Privacy Act Appeals Officer determines (in the FOIA/Privacy Act Appeals Officer's sole discretion) that good cause exists to accept the defective appeal.

Please include your name and daytime telephone number (or the name and telephone number of an appropriate contact), email address and fax number (if available) in case the FOIA/Privacy Act Appeals Officer needs additional information or clarification of your appeal.

DOI FOIA/Privacy Act Appeals Office Contact Information

Department of the Interior
Office of the Solicitor
1849 C Street, N.W.
MS-6556 MIB
Washington, DC 20240

Attn: FOIA/Privacy Act Appeals Office

Telephone: (202) 208-5339
Fax: (202) 208-6677
Email: FOIA.Appeals@sol.doi.gov

The 2007 FOIA amendments created the Office of Government Information Services (OGIS) to offer mediation services to resolve disputes between FOIA requesters and federal agencies as a non-exclusive alternative to litigation. Using OGIS services does not affect your right to pursue litigation. You may contact OGIS in any of the following ways:

Office of Government Information Services (OGIS)
National Archives and Records Administration
8601 Adelphi Road - OGIS
College Park, MD 20740-6001
E-mail: ogis@nara.gov
Web: <https://ogis.archives.gov>
Phone: 202-741-5770
Fax: 202-741-5769
Toll-free: 1-877-684-6448

Please note that using OGIS services does not affect the timing of filing an appeal with the Department's FOIA & Privacy Act Appeals Officer.

You may also seek dispute resolution services from our FOIA Public Liaison, Mr. Brian May. He can be reached by phone at (443) 498-5521; by fax at (443) 498-5510; by email at foia@usgs.gov; or by mail at U.S. Geological Survey, FOIA Public Liaison, 5522 Research Park Drive, Baltimore, MD 21228.

This completes our response under your request. Should you have any questions, please feel free to contact me at foia@usgs.gov or (303) 236-1476.

Thank you for your interest in the U.S. Geological Survey.

Sincerely,

A handwritten signature in black ink that reads "Janis Wilson". The signature is written in a cursive style with a large, looping initial "J".

Janis Wilson
U.S. Geological Survey
Department of the Interior
Box 25046, Denver Federal Center, MS 406
Denver, CO 80225-0046
(303) 236-1476
foia@usgs.gov

Attachment:

1. FY2015 and FY 2016 Quarterly Reports, (37 pages)

USGS Accomplishments – FY[2015]-Q[1]

1. **Describe steps taken to improve your component's FOIA Program this quarter. (Please include at least two steps and explain each with a detailed sentence or two. We are especially interested in how you have improved your program's responsiveness.)**
 - a. Ms. Rachel Spector and I have developed a process for all USGS FOIA requests requiring a legal review. I will prepare a Routing Slip (similar to what the OS FOIA Office prepares), draft our response, and continue sending my Request for Legal Review which lays out the background of the case, the exemptions, analysis of the exemptions (including any legal research), and my conclusions. I send the package to the SOL administrative personnel and copy Rachel Spector, so the SOL administrative personnel can log the case into DTS. If the responsive records are too large, in my email, I inform the SOL administrative personnel that I will share the records with my proposed redactions with the assigned attorney on Google Drive.
 - b. I continue creating templates that I want all FOIA processors to use. This will ensure that everyone is using the same language in the written correspondence. Additionally, I am using DOI's FOIA language to craft the templates, this will ensure that USGS is following DOI's lead.
 - c. I removed the previous USGS FOIA Contact webpage. Currently reviewing the USGS FOIA webpages and identifying information to change. Intend to fully revise our webpage and create a robust "living" FOIA Library.
 - d. Currently developing USGS-wide FOIA training and Exemption 4 training for OAG.
 - e. Created a Proactive Release Index and have proactively released 4 records to Mr. Kevin Bogardus before he submits his monthly recurring FOIA requests. Once we revise our FOIA Library, I will add the Proactive Release Index and the released records to the USGS FOIA Library.
 - f. Currently reviewing Survey Manual 318.1 – Freedom of Information Act – General.
 - g. Identified that USGS was depositing FOIA processing fees into USGS lines of accounting without permission. Eliminated that procedure and established a process with the Budget Office to properly bill FOIA requesters, collect payment, and deposit FOIA processing fees with Treasury.
 - h. Developed a Weekly Open/Closed FOIA Report and share the report with the FOIA Team and some USGS Components with mutual interest in the Open/Closed FOIA requests.
 - i. Prepare FOIA input for a Weekly management report that is distributed to Senior USGS managers.

USGS Accomplishments – FY[2015]-Q[1]

2. Please list at least two instances of meaningful discretionary disclosures your component has made this quarter.

Discretionary Disclosures		
Subject of the Request	Exempt information that was released	Exemption(s) that would have covered the released information
Nothing to report		

3. Please list at least two instances of meaningful proactive disclosures your component has made this quarter.

Proactive Disclosures and Transparency	
Description of new records, datasets, videos, etc. posted	Website URL or FOIA Library location
Nothing posted at this time; however, once I revise our FOIA Library I will post the records that we proactively release to our FOIA Library.	

4. Please provide at least one example of how your component has improved its online presence (e.g., new efforts to solicit feedback on website content/presentation, improve content and search capabilities).

Nothing to report for FY 2015, 1st Quarter. As I mentioned in the FY 2014, 4th Quarter Report; I anticipate completely revising our public facing FOIA website and overhauling our FOIA Library. This is a FY 2015 goal and I'm hoping to make the improvements by the end of the 2nd Quarter, FY 2015.

USGS Accomplishments – FY[2015]-Q[1]

5. Please discuss your efforts to reduce your backlog.

I routinely work 9-10 hour days to try and clear the backlog. I currently have 8 of the 29 backlogged FOIA requests pending legal review. USGS is received a record 53 FOIA requests and processed 50 total requests in FY 2015, Q1.

6. Please discuss your efforts to close the ten oldest requests reported in your component's last FOIA Annual Report.

USGS-2013-00095 – pending legal review since July 24, 2014. #1 in Complex Processing Queue

USGS-2013-00159 – currently in the Complex Queue. #2 in the Complex Processing Queue

USGS-2013-00170 – sent for legal review on September 22, 2014. #3 in the Complex Processing Queue

USGS-2014-00009 – large request for records associated with an NRDA case. Referred large portions of the responsive records to the EPA and NPS and a small portion to the U.S. Army Corps of Engineers. Currently working with an SOL Attorney assigned to the Division of Parks and Wildlife, Branch of Environmental Restoration. Currently #1 in the Exceptional/Voluminous Processing Queue.

USGS-2014-00013 – Currently #2 in the Exceptional/Voluminous Processing Queue.

USGS-2014-00029 – Currently #4 in the Complex Processing Queue.

USGS-2014-00031 – Reopened request, located additional records that were not provided to the requester. Sent Requests for Consultation to Council for Environmental Quality, National Institutes of Health, West Virginia University, Centers for Disease Control and Prevention. Once the consultations are complete, will send the records for an SOL legal review. The records associated with this request are also responsive to 3 other FOIA requests.

USGS-2014-00034 – Currently #5 in the Complex Processing Queue.

USGS-2014-00043 – Currently #3 in the Exceptional/Voluminous Processing Queue. Received five (5) paper boxes full of responsive records. Need to review the records, the proposed redactions and scan the records to PDF. As of 12/22/2014, the USGS FOIA Officer has dedicated “stand alone” scanner and will begin scanning records by 1/16/2015.

USGS Accomplishments – FY[2015]-Q[1]

USGS-2014-00053 – Currently #6 Complex Processing Queue. The USGS FOIA Officer is awaiting response from the Project Manager about the data that was provided to the USGS FOIA Officer. Need to ensure all of the data was received. Anticipate withholding all of the unverified data under FOIA Exemption 5 because the mountaintop mining piece of the project/study lost its funding. The USGS FOIA Officer has asked if the USGS will publish a report based on the research / data. At this time, the data has not been reviewed/verified for accuracy.

7. Please discuss your training efforts this quarter, including:

a. The number of conferences or trainings held:

i. None

b. Who lead the training:

c. A brief description of the topics covered:

d. an estimate of the number of participants from your bureau who were in attendance:

e. Whether all bureau employees in the 0306 job series have received core, substantive FOIA training this year (if they have not, please include your plans for ensuring they do receive this training this year).

i. I am the only USGS employee in the 0306 job series

ii. I attended FOIA training prior to joining USGS. Additionally, I mentored new employees while I worked at SSA and conducted training on several topics, both FOIA and non-FOIA related (e.g. Adobe Professional software)

8. Has your bureau fully complied with the Department's FOIA Certification Program this quarter? If not, please include how you plan to remedy this deficiency this fiscal year.

USGS has one FOIA Officer and three (3) FOIA Liaisons. The FOIA Officer attended two (2) DOI FOIA. The FOIA Liaisons did not attend the DOI FOIA Officer's Meeting or the DOI FOIA Forum.

USGS Accomplishments – FY[2015]-Q[1]

I prepared this report on January 5, 2015. For questions, please contact me at (443) 498-5521 or at bmay@usgs.gov.

//SIGNED – BAM//

Brian A. May

Freedom of Information Act Officer

U.S. Geological Survey

USGS Accomplishments – FY[2015]-Q[2]

1. Describe steps taken to improve your component’s FOIA Program this quarter. (Please include at least two steps and explain each with a detailed sentence or two. We are especially interested in how you have improved your program’s responsiveness.)

- a. Acting Chief of SOL BGL and I have scheduled a recurring bi-weekly appointment to discuss open USGS FOIA requests that are pending SOL legal review.
- b. Developed OAG Exemption 4 training and received DOI FOIA Office approval. Provided two training sessions for OAG personnel.
- c. Drafted USGS-wide FOIA training (FOIA Officer needs to review)
- d. Reviewing Survey Manual 318.1 – Freedom of Information Act – General.
- e. Revised Weekly Open/Closed FOIA Report and share the report with the FOIA Team and some USGS Components with mutual interest in the Open/Closed FOIA requests.
- f. Prepares FOIA input for a Weekly management report that is distributed to Senior USGS managers.

2. Please list at least two instances of meaningful discretionary disclosures your component has made this quarter.

Discretionary Disclosures		
Subject of the Request	Exempt information that was released	Exemption(s) that would have covered the released information
Coal-tar Sealants (Pavement Coatings Technology Council v. USGS FOIA litigation). 3 scheduled releases. Released a total of 1,308 pages. Still need to review about 1,000 documents.	Calculations, draft presentations, draft letters, etc...	Exemption 5

USGS Accomplishments – FY[2015]-Q[2]

3. Please list at least two instances of meaningful proactive disclosures your component has made this quarter.

Proactive Disclosures and Transparency	
Description of new records, datasets, videos, etc. posted	Website URL or FOIA Library location
Nothing posted at this time; however, once I revise our FOIA Library I will post the records that we proactively release to our FOIA Library.	
USGS routinely posts publications on-line	http://pubs.er.usgs.gov/
USGS routinely posts data	http://water.usgs.gov/data/ http://www.usgs.gov/pubprod/data.html http://vterrain.org/Misc/usgs_data.html http://earthexplorer.usgs.gov/
USGS posts information on data.gov	http://catalog.data.gov/dataset?q=%22usgs%22&sort=metadata_modified+desc&organization=usgs-gov&ext_location=&ext_bbox=&ext_prev_extent=-139.21874999999997%2C8.754794702435617%2C-61.87499999999999%2C61.77312286453146

4. Please provide at least one example of how your component has improved its online presence (e.g., new efforts to solicit feedback on website content/presentation, improve content and search capabilities).

Nothing to report for FY 2015, 2nd Quarter.

USGS Accomplishments – FY[2015]-Q[2]

5. Please discuss your efforts to reduce your backlog.

I routinely work 9-10 hour days to try and clear the backlog. I currently have 7 of the 26 backlogged FOIA requests pending legal review. USGS has received a record 102FOIA requests and processed 92 total requests in FY 2015.

6. Please discuss your efforts to close the ten oldest requests reported in your component's last FOIA Annual Report.

USGS-2013-00095 – Closed on February 23, 2015

USGS-2013-00159 – currently in the Complex Queue. #1 in the Complex Processing Queue

USGS-2013-00170 – sent for legal review on September 22, 2014. #2 in the Complex Processing Queue

USGS-2014-00009 – Closed on March 16, 2015

USGS-2014-00013 – Currently #1 in the Exceptional/Voluminous Processing Queue.

USGS-2014-00029 – Currently #3 in the Complex Processing Queue.

USGS-2014-00031 – Closed on March 16, 2015

USGS-2014-00034 – Currently #4 in the Complex Processing Queue.

USGS-2014-00043 – Currently #2 in the Exceptional/Voluminous Processing Queue. Received five (5) paper boxes full of responsive records (approximately 8,000-12,000 pages). Need to review the records, the proposed redactions and scan the records to PDF. As of 3/16/2015, the USGS FOIA Officer has dedicated “stand alone” scanner. Due to other competing work commitments, the FOIA Officer hasn't been able to scan the records.

USGS Accomplishments – FY[2015]-Q[2]

USGS-2014-00053 – Currently #5 Complex Processing Queue. The USGS FOIA Officer is awaiting response from the Project Manager about the data that was provided to the USGS FOIA Officer. Need to ensure all of the data was received. Anticipate withholding all of the unverified / “raw” data under FOIA Exemption 5 because the mountaintop mining piece of the project/study lost its funding. At this time, the data has not been reviewed/verified for accuracy.

7. Please discuss your training efforts this quarter, including:

a. The number of conferences or trainings held:

- i. FOIA Exemption 4 Training for the Office of Acquisition and Grants. 2 training sessions.

b. Who lead the training: Mr. Brian May

c. A brief description of the topics covered: FOIA Exemption 4, Executive Order 12600 Submitter Notice Process, DOI Sample Submitter Notice, Redactions, and other FOIA Exemptions that can apply to OAG contracts.

d. an estimate of the number of participants from your bureau who were in attendance: 50

e. Whether all bureau employees in the 0306 job series have received core, substantive FOIA training this year (if they have not, please include your plans for ensuring they do receive this training this year).

- i. I am the only USGS employee in the 0306 job series
- ii. I attended FOIA training prior to joining USGS. Additionally, I mentored new employees while I worked at SSA and conducted training on several topics, both FOIA and non-FOIA related (e.g. Adobe Professional software)

USGS Accomplishments – FY[2015]-Q[2]

8. Has your bureau fully complied with the Department's FOIA Certification Program this quarter? If not, please include how you plan to remedy this deficiency this fiscal year.

USGS has one FOIA Officer and two (2) FOIA Liaisons. The FOIA Officer attended two (2) DOI FOIA Meetings/Forums. One FOIA Liaison attended or the DOI FOIA Forum.

I prepared this report on March 16, 2015. For questions, please contact me at (443) 498-5521 or at bmay@usgs.gov.

//SIGNED – BAM//

Brian A. May

Freedom of Information Act Officer

U.S. Geological Survey

USGS Accomplishments – FY[2015]-Q[3]

1. Describe steps taken to improve your component’s FOIA Program this quarter. (Please include at least two steps and explain each with a detailed sentence or two. We are especially interested in how you have improved your program’s responsiveness.)

- a. Acting Chief of SOL BGL and I have revised our legal review process. I will upload requests that require SOL DGL legal review to Google Drive. I created a Google Sheet in the folder on Google Drive that lists all of the USGS cases pending legal review. I shared the contents of the folder with all of the SOL DGL attorneys.
- b. Reviewed the DOJ FOIA Training (4+ hours) and provided DOI FOIA Officer with feedback.
- c. Revised Weekly Open/Closed FOIA Report and share the report with the FOIA Team and some USGS Components with mutual interest in the Open/Closed FOIA requests.

2. Please list at least two instances of meaningful discretionary disclosures your component has made this quarter.

Discretionary Disclosures		
Subject of the Request	Exempt information that was released	Exemption(s) that would have covered the released information
Coal-tar Sealants (Pavement Coatings Technology Council v. USGS FOIA litigation). 3 scheduled releases. Released a total of 2,033 pages.	Calculations, draft presentations, draft letters, other draft records, etc...	Exemption 5

USGS Accomplishments – FY[2015]-Q[3]

3. Please list at least two instances of meaningful proactive disclosures your component has made this quarter.

Proactive Disclosures and Transparency	
Description of new records, datasets, videos, etc. posted	Website URL or FOIA Library location
Nothing posted at this time; however, once I revise our FOIA Library I will post the records that we proactively release to our FOIA Library.	
USGS routinely posts publications on-line	http://pubs.er.usgs.gov/
USGS routinely posts data	http://water.usgs.gov/data/ http://www.usgs.gov/pubprod/data.html http://vterrain.org/Misc/usgs_data.html http://earthexplorer.usgs.gov/
USGS posts information on data.gov	http://catalog.data.gov/dataset?q=%22usgs%22&sort=metadata_modified+desc&organization=usgs-gov&ext_location=&ext_bbox=&ext_prev_extent=-139.2187499999997%2C8.754794702435617%2C-61.8749999999999%2C61.77312286453146
USGS offer the public with a vehicle to ask questions and to communicate with the bureau. It's called "AskUSGS". The Office of Communications staffs this program with personnel to field questions, provide information to the public. The website provides the public with Frequently Asked Questions, links to Social Media, Web Chat, and to email the bureau.	http://answers.usgs.gov/cgi-bin/gsanswers?tmpl=4

4. Please provide at least one example of how your component has improved its online presence (e.g., new efforts to solicit feedback on website content/presentation, improve content and search capabilities).

Nothing to report for FY 2015, 3rd Quarter.

USGS Accomplishments – FY[2015]-Q[3]

5. Please discuss your efforts to reduce your backlog.

I routinely work 9-10 hour days to try and clear the backlog. To date, USGS has received a record 165 FOIA requests and processed 160 requests in FY 2015. USGS's previous busiest years were 2010, with 170 requests received and 2011, with 171 requests processed. Despite the increased workload, we continue to strive to reduce our backlog. We currently have 9 of the 34 backlogged requests pending legal review.

6. Please discuss your efforts to close the ten oldest requests reported in your component's last FOIA Annual Report.

USGS-2013-00095 – Closed on February 23, 2015

USGS-2013-00159 – currently in the Complex Queue. #1 in the Complex Processing Queue

USGS-2013-00170 – Closed on June 26, 2015

USGS-2014-00009 – Closed on March 16, 2015

USGS-2014-00013 – Currently #1 in the Exceptional/Voluminous Processing Queue.

USGS-2014-00029 – Currently #3 in the Complex Processing Queue.

USGS-2014-00031 – Closed on March 16, 2015

USGS-2014-00034 – Currently #4 in the Complex Processing Queue.

USGS-2014-00043 – Currently #2 in the Exceptional/Voluminous Processing Queue. Received five (5) paper boxes full of responsive records (approximately 8,000-12,000 pages). FOIA Contractor is currently scanning in the records, will then need to review the records.

USGS Accomplishments – FY[2015]-Q[3]

USGS-2014-00053 – Currently #5 Complex Processing Queue. On June 24, 2015, the USGS FOIA Officer spoke with the FOIA requester about the scope of the FOIA request. Currently waiting for the FOIA requester to contact the FOIA Officer about how she wants to proceed with her request. Depending on how the requester wants to proceed with the request, the USGS FOIA Officer anticipates withholding all of the unverified / “raw” data under FOIA Exemption 5 because the mountaintop mining piece of the project/study lost its funding. At this time, the data has not been reviewed/verified for accuracy.

7. Please discuss your training efforts this quarter, including:

a. The number of conferences or trainings held:

- i. None

b. Who lead the training:

c. A brief description of the topics covered: N/A

d. an estimate of the number of participants from your bureau who were in attendance:

e. Whether all bureau employees in the 0306 job series have received core, substantive FOIA training this year (if they have not, please include your plans for ensuring they do receive this training this year).

- i. I am the only USGS employee in the 0306 job series
- ii. I attended FOIA training prior to joining USGS. Additionally, I mentored new employees while I worked at SSA and conducted training on several topics, both FOIA and non-FOIA related (e.g. Adobe Professional software)

USGS Accomplishments – FY[2015]-Q[3]

8. Has your bureau fully complied with the Department's FOIA Certification Program this quarter? If not, please include how you plan to remedy this deficiency this fiscal year.

USGS has one FOIA Officer and two (2) FOIA Liaisons. The FOIA Officer attended two (1) DOI FOIA Meetings/Forums. One FOIA Liaison attended or the DOI FOIA Forum.

I prepared this report on June 29, 2015. For questions, please contact me at (443) 498-5521 or at bmay@usgs.gov.

//SIGNED – BAM//

Brian A. May

Freedom of Information Act Officer

U.S. Geological Survey

USGS Accomplishments – FY[2015]-Q[4]

1. **Describe steps taken to improve your component's FOIA Program this quarter. (Please include at least two steps and explain each with a detailed sentence or two. We are especially interested in how you have improved your program's responsiveness.)**
 - a. Provided DOI FOIA Officer with a list of proposed management reports to create in the EFTS tracking system. Included my rationale for each report.
 - b. Traveled to Denver, CO to work with FOIA Coordinator on the oldest cases in our processing queues.
 - (1) Resulted in closing four (4) of the oldest requests, sending one to the SOL to review, and receiving clarification on another.
 - (2) While in Denver, held presented a FOIA Overview and held a Questions and Answers session with the Southwest Region. At least one representative from each Southwest Region Science Center called in. Have fielded several questions about releasing records proactively, impact of the FOIA on collaborative projects, etc... Will hold similar presentations in Menlo Park, CA in September and with the Northeastern Region in the future.
 - c. Hiring Actions: USGS advertised for one GS-11/12 Government Information Specialist position. Received the CERT on September 8, 2015.
 - d. Dettelle: An employee from the USGS Store will join the FOIA Team for a 60-90 day detail. She works in Denver and will support the Water Mission Area FOIA Coordinator, co-located in Denver.
 - e. Revised Weekly Open/Closed FOIA Report and share the report with the FOIA Team and some USGS Components with mutual interest in the Open/Closed FOIA requests.
 - (1) Send managers a Historical Snapshot of our FOIA Program, which compares each year to the present year, and each month to the present month. This report has been crucial to garnering support for the FOIA Program and led to the hiring action.
 - (2) Additionally, provided USGS leadership with a comparison of the USGS FOIA Program to the FOIA Programs of similarly sized DOI bureaus (e.g. OIG and BSEE).
 - f. Participated in an interview with the Society of Professional Journalists about the USGS FOIA Program and what someone could expect from USGS while processing their request. The journalist was interested in how USGS would process a Normal or Simple request.

USGS Accomplishments – FY[2015]-Q[4]

2. Please list at least two instances of meaningful discretionary disclosures your component has made this quarter.

Discretionary Disclosures		
Subject of the Request	Exempt information that was released	Exemption(s) that would have covered the released information
2015-00176	Draft version of a Circular and deliberative comments in email	Exemption 5
2014-00029	Analytical data derived from an unpublished equation	Exemption 5

3. Please list at least two instances of meaningful proactive disclosures your component has made this quarter.

Proactive Disclosures and Transparency	
Description of new records, datasets, videos, etc. posted	Website URL or FOIA Library location
Nothing posted at this time; however, once I revise our FOIA Library I will post the records that we proactively release to our FOIA Library.	
USGS routinely posts publications on-line	http://pubs.er.usgs.gov/
USGS routinely posts data	http://water.usgs.gov/data/ http://www.usgs.gov/pubprod/data.html http://vterrain.org/Misc/usgs_data.html http://earthexplorer.usgs.gov/
USGS posts information on data.gov	http://catalog.data.gov/dataset?q=%22usgs%22&sort=metadata_modified+desc&organization=usgs-gov&ext_location=&ext_bbox=&ext_prev_extent=-139.21874999999997%2C8.754794702435617%2C-61.87499999999999%2C61.77312286453146
USGS offer the public with a vehicle to ask questions and to communicate with the bureau. It's called "AskUSGS". The Office of	http://answers.usgs.gov/cgi-bin/ganswers?tmpl=4

USGS Accomplishments – FY[2015]-Q[4]

Communications staffs this program with personnel to field questions, provide information to the public. The website provides the public with Frequently Asked Questions, links to Social Media, Web Chat, and to email the bureau.	
USGS provides Mr. Kevin Bogardus records he seeks on a recurring basis before he submits his FOIA requests.	

4. Please provide at least one example of how your component has improved its online presence (e.g., new efforts to solicit feedback on website content/presentation, improve content and search capabilities).

Nothing to report for FY 2015, 4th Quarter.

5. Please discuss your efforts to reduce your backlog.

I traveled to Denver, CO for one week to work solely on old/backlogged FOIA requests. I routinely work 9-10 hour days to try and clear the backlog. To date, USGS has received a record 199 FOIA requests and processed 198 requests in FY 2015. USGS's previous busiest years were 2010, with 170 requests received and 2011, with 171 requests processed. Despite the increased workload, we continue to strive to reduce our backlog. We currently have 9 of the 28 backlogged cases pending legal review.

6. Please discuss your efforts to close the ten oldest requests reported in your component's last FOIA Annual Report.

USGS-2013-00095 – Closed on February 23, 2015

USGS-2013-00159 – currently in the Complex Queue. #1 in the Complex Processing Queue. Requester narrowed the scope of his request on September 8, 2015.

USGS-2013-00170 – Closed on June 26, 2015

USGS-2014-00009 – Closed on March 16, 2015

USGS-2014-00013 – Closed on August 13, 2015

USGS Accomplishments – FY[2015]-Q[4]

USGS-2014-00029 – Closed on September 1, 2015

USGS-2014-00031 – Closed on March 16, 2015

USGS-2014-00034 – Closed on August 31, 2015

USGS-2014-00043 – Currently #2 in the Exceptional/Voluminous Processing Queue. Received five (5) paper boxes full of responsive records (approximately 8,000-12,000 pages). Completed scanning 3.5 of 5 full paper boxes. Requester has asked to add a co-requester and for USGS to possibly narrow our review. Requester has not responded to FOIA Officer's attempts to schedule a teleconference. Once the files are scanned, the USGS FOIA Officer will send an official request for clarification and provide the requester with 20 workdays to respond.

USGS-2014-00053 – Closed on July 21, 2015

7. Please discuss your training efforts this quarter, including:

a. The number of conferences or trainings held:

- i. 2 presentations (FOIA Overviews/Questions and Answers Sessions)

b. Who lead the training: Brian May, USGS FOIA Officer

c. A brief description of the topics covered:

- i. Provided an overview of the FOIA, the USGS FOIA Program and the USGS FOIA Process.
- ii. Discussed Hot Topics (use of Exemption 5 and deliberative process privilege, Relationship of the USGS's Fundamental Science Practices and the FOIA, Agency v. Non-Agency Record, Use of gov't email for personal purposes and using personal email for official purposes)
- iii. Discussed potential for litigation, prohibition from depositing FOIA processing fees into USGS lines of accounting, provided the DOI Learn link to the DOJ's FOIA Training, FOIA for Federal Employees
- iv. Proactive Disclosures, relevance/role of AskUSGS

d. an estimate of the number of participants from your bureau who were in attendance: 20

e. Whether all bureau employees in the 0306 job series have received core, substantive FOIA training this year (if they have not, please include your plans for ensuring they do receive this training this year).

- i. I am the only USGS employee in the 0306 job series
- ii. I attended FOIA training prior to joining USGS. Additionally, I mentored new employees while I worked at SSA and conducted training on several topics, both FOIA and non-FOIA related (e.g. Adobe Professional software)

USGS Accomplishments – FY[2015]-Q[4]

- iii.** One non-0306 FOIA Coordinator is currently attending ASAP Training in Chicago, IL (September 9-11, 2015)

8. Has your bureau fully complied with the Department's FOIA Certification Program this quarter? If not, please include how you plan to remedy this deficiency this fiscal year.

USGS has one FOIA Officer and two (2) FOIA Coordinator. The FOIA Officer attended two (2) DOI FOIA Meetings/Forums. One FOIA Coordinator attended or the DOI FOIA Forum. One FOIA Coordinator is currently attending ASAP Training (September 9-11, 2015).

I prepared this report on September 9, 2015. For questions, please contact me at (443) 498-5521 or at bmay@usgs.gov.

//SIGNED – BAM//

Brian A. May

Freedom of Information Act Officer

U.S. Geological Survey

USGS Accomplishments – FY[2016]-Q[1]

1. Describe steps taken to improve your component's FOIA Program this quarter. (Please include at least two steps and explain each with a detailed sentence or two. We are especially interested in how you have improved your program's responsiveness.)

a. Traveled to Menlo Park, CA to work with FOIA Coordinator.

(1) While in Menlo Park, held a FOIA Overview and Questions and Answers session with Regional employees (in person and on the phone/Webex).

b. Hiring Actions:

(1) Hired one experienced GS-12 Government Information Specialist. Currently working two large, backlogged Complex cases.

(2) Hired a new GS-11 Government Information Specialist. Was previously on a detail to the FOIA Program. Employee is learning the FOIA process, EFTS, processing simple requests, and supporting/assisting the Water Mission Area FOIA Coordinator, co-located in Denver.

c. Revised Weekly Open/Closed FOIA Report and share the report with the FOIA Team and some USGS Components with mutual interest in the Open/Closed FOIA requests. Added the report to Google Drive so everyone can have “real-time” access to the report.

(1) Send managers a Historical Snapshot of our FOIA Program, which compares each year to the present year, and each month to the present month. This report has been crucial to garnering support for the FOIA Program and led to the hiring action. Added the report to Google Drive, eliminates the need to email the report

(2) Provided managers with a comparison of FOIA requests received and processed by each USGS Mission Area. Met with the Ecosystems Deputy Director, explained the challenges that the FOIA Program faces for requests for Ecosystems records. Ecosystems Deputy Director agreed to pay for the FOIA Officer and the new FOIA specialist to travel to Northwest Ecosystem Science Centers to meet with staff, discuss challenges they face, provide a FOIA Overview, and offer assistance/technical solutions to make the process more efficient.

d. Brian and the Records/Litigation Hold Office provided the Columbia Environment Research Center (CERC) a joint presentation/Question and Answer Session in November 2015. The Science Center Director said the presentation was extremely helpful and well received.

USGS Accomplishments – FY[2016]-Q[1]

2. Please list at least two instances of meaningful discretionary disclosures your component has made this quarter.

Discretionary Disclosures		
Subject of the Request	Exempt information that was released	Exemption(s) that would have covered the released information

3. Please list at least two instances of meaningful proactive disclosures your component has made this quarter.

Proactive Disclosures and Transparency	
Description of new records, datasets, videos, etc. posted	Website URL or FOIA Library location
USGS Gold King Mine records	http://water.usgs.gov/owq/gkm/
USGS routinely posts publications on-line	http://pubs.er.usgs.gov/
USGS routinely posts data	http://water.usgs.gov/data/ http://www.usgs.gov/pubprod/data.html http://vterrain.org/Misc/usgs_data.html http://earthexplorer.usgs.gov/
USGS posts information on data.gov	http://catalog.data.gov/dataset?q=%22usgs%22&sort=metadata_modified+desc&organization=usgs-gov&ext_location=&ext_bbox=&ext_prev_extent=-139.21874999999997%2C8.754794702435617%2C-61.87499999999999%2C61.77312286453146

USGS Accomplishments – FY[2016]-Q[1]

<p>The USGS responds to public inquiries through a variety of communications channels. It's called Ask-USGS. The Office of Communications and Publishing staffs these activities in the Science Information Services group. They provide the public with useful information through Frequently Asked Questions, links to Social Media content (Twitter, Facebook, Instagram), online webchat, e-mail responses, and a toll-free phone number.</p> <p>Customer Service Accomplishments for 1Q 2016 include:</p> <p>SIS Customer Service e-mails = 3,184</p> <p>SIS Customer Service phone calls = 2,870</p> <p>SIS Customer Service live webchats – 511</p> <p>Total: 6,565</p>	<p>http://answers.usgs.gov/cgi-bin/gsanswers?tmpl=4</p>
<p>USGS provides Mr. Kevin Bogardus records he seeks on a recurring basis before he submits his FOIA requests.</p>	

4. Please provide at least one example of how your component has improved its online presence (e.g., new efforts to solicit feedback on website content/presentation, improve content and search capabilities).

Nothing to report for FY 2016, 1st Quarter. I anticipate having something to report in the coming months. We met with the Office of Communications and the FOIA webpage will be one of the pilot test pages for the new webpage template.

5. Please discuss your efforts to reduce your backlog.

I traveled to Menlo Park, CA and we hired two new employees. The workload levels appear to be leveling and we have all of backlogged cases in varying stages of review, including our Exceptional/Voluminous cases. The lead scientist is 4/5ths through his review of the thousands of pages of records associated with 2014-00043. We currently have 4 of the 28 backlogged cases pending legal review.

USGS Accomplishments – FY[2016]-Q[1]

6. Please discuss your efforts to close the ten oldest requests reported in your component's last FOIA Annual Report.

USGS-2013-00159 – Currently #1 in the Complex Queue. Provided records to DOD on November 23rd and December 4th to review and provide their consultation. On December 22, 2015, DOD responded and stated it would take them 2-3 months to review to our request for Consultation. On November 20, 2015, the EPA responded to our request for Consultation and approved the records for a full release. Brian anticipates that USGS will close this request in FY 2016.

USGS-2014-00043 – Currently #1 in the Exceptional/Voluminous Processing Queue. Received five (5) paper boxes full of responsive records (24,110 pages). On September 30, 2015, the FOIA requester agreed to limit the scope of their request to the email strings only and not to include the attachments to the emails. The requested stated that if they want the emails in the future, they will submit requests for specific attachments. As of January 6, 2015, the lead scientist completed his review of Box 1 (844 pages); Box 2 (589 pages); Box 3 (1 page); and Box 4 (618 pages). The scientist is currently reviewing Box 5 (527 pages). These page counts represent the emails strings only. Brian will coordinate Consultations and Referrals with the National Parks Service, Fish and Wildlife Service, and the Forest Service once the lead scientist completes his review of Box 5. Brian anticipates that USGS will close this request in FY 2016.

USGS-2014-00126 – Currently #2 in the Exceptional/Voluminous Processing Queue. This case involves four scientist's emails, which are thousands of pages of emails and hundreds of email attachments with an unknown page count. Brian has to review all of the emails and attachments to ensure they are responsive to the request. Brian completed his review of one scientist's emails and sent 1,657 pages of responsive emails back to the Alaska Science Center to review and answer some questions about the records. Brian does not think that some of the records are actually agency records and will reengage with SOL on this topic, provide SOL with the answers to Brian's questions, and the records for them to review before sending an Interim Response. SOL's guidance will have a significant impact on how Brian processes the remaining records.

USGS-2015-00021 – Currently #3 in the Exceptional/Voluminous Processing Queue. Brian has provided three Interim Responses to date and made two referrals to the EPA. The Interim Responses and referrals cover the emails responsive to the request. The requester wants Brian to review the remaining 1,345 records (not pages of records), exceeding 3.1 GB, that the scientist provided from his C: drive and laptop. Will resume processing this request once 2014-00043 and 2014-00126 are complete.

USGS-2015-00057 – Currently #2 in the Complex Processing Queue. On December 14, 2015, SOL DGL completed their legal review (legal review pending since June 1, 2015) and disagreed with USGS's use of Exemption 5. On January 5, 2016, Brian emailed the Water Mission Area FOIA Coordinator and asked if the Science Center Director had provided any additional information to justify their request to use FOIA Exemption 5. If the Science Center Director does not provide any additional information, Brian expects to close this request, as a full release, by the end of January 2016.

USGS Accomplishments – FY[2016]-Q[1]

USGS-2015-00082 – Currently #3 in the Complex Processing Queue. On April 30, 2015, sent Interim Release to requester (information that was publicly available on the USGS IQA webpage). Case has been pending legal review since April 30, 2015. On August 7, 2015, the SOL DGL reviewed the records, offered his opinion and requested additional information. On August 17, 2015, Brian provided the SOL DGL attorney with the additional information that he asked for. On September 9, 2015, SOL DGL attorney conducted his second review of the records and asked for additional analysis, information, and edits to the response letter. On October 1, 2015, Brian provided the SOL DGL attorney with the additional analysis, information and amended response letter. Still pending SOL DGL attorney review. Brian anticipates that USGS will close this request in FY 2016.

USGS-2015-00096 – Currently #4 in the Complex Processing Queue. The scientists provided over 26,000 emails to the FOIA Office. On August 5, 2015, the requester agreed to limit the scope of his request to two scientists emails and six search terms. Culled/narrowed request resulted in 1,325 emails (not pages of emails). Brian reviewed all of the records responsive to the amended request and provided them to the scientists to review. Brian provided two Interim Responses to the requester, on October 26, 2015 and November 24, 2015. The scientist reviewing the remaining records expects to complete his review by January 31, 2016. Brian anticipates that USGS will close this request in FY 2016.

USGS-2015-00136 – Currently #5 in the Complex Processing Queue. Sent Interim Responses on July 10, 2015; July 13, 2015; and August 25, 2013. FOIA Specialist reviewing 106 remaining records. Brian anticipates that USGS will be able to close this request in FY 2016.

USGS-2015-00137 – Currently #6 in the Complex Processing Queue. New FOIA Specialist reviewing over 3,000 pages of records (emails and memos) that are part of a Scientific Misconduct Inquiry. Will refer records to FWS to process and respond to requester. FOIA Specialist reviewing approximately 9,000 pages of records. Brian anticipates that USGS will be able to close this request in FY 2016.

USGS-2015-00141, 00142, 00143, and 00144 – Currently #7, 8, 9, and 10 in the Complex Processing Queue. EPA referred the requests to USGS on April 20, 2015. On November 25, 2015, sent 1,166 pages to SOL DGL to review. The records associated with 2015-00141 are responsive to all four requests. Brian anticipates that USGS will close these requests in FY 2016.

7. Please discuss your training efforts this quarter, including:

a. The number of conferences or trainings held:

- i. 1 presentations (FOIA Overviews/Questions and Answers Sessions)

b. Who lead the training: Brian May, USGS FOIA Officer

c. A brief description of the topics covered:

- i. Provided an overview of the FOIA, the USGS FOIA Program and the USGS FOIA Process.

USGS Accomplishments – FY[2016]-Q[1]

- ii. Discussed Hot Topics (use of Exemption 5 and deliberative process privilege, inter-/intra-agency threshold, Relationship of the USGS's Fundamental Science Practices and the FOIA, Agency v. Non-Agency Record, Use of gov't email for personal purposes and using personal email for official purposes)
 - iii. Discussed potential for litigation, prohibition from depositing FOIA processing fees into USGS lines of accounting, provided the DOI Learn link to the DOJ's FOIA Training, FOIA for Federal Employees
 - iv. Proactive Disclosures, relevance/role of AskUSGS
- d. an estimate of the number of participants from your bureau who were in attendance: 20**
- e. Whether all bureau employees in the 0306 job series have received core, substantive FOIA training this year (if they have not, please include your plans for ensuring they do receive this training this year).**
- i. We have three new 0306 job series employees. Two are experienced FOIA specialists, one is new. I have requested funding for all three to attend varying levels of FOIA training in FY 2016, at a training presented by a combination of any of the following organizations/agencies: ASAP, DOJ, USDA.
 - ii. I attended FOIA training prior to joining USGS. Additionally, I mentored new employees while I worked at SSA and conducted training on several topics, both FOIA and non-FOIA related (e.g. Adobe Professional software)
 - iii. One then-non-0306 FOIA Coordinator attended ASAP Training in Chicago, IL (September 9-11, 2015)

8. Has your bureau fully complied with the Department's FOIA Certification Program this quarter? If not, please include how you plan to remedy this deficiency this fiscal year.

USGS has one FOIA Officer and two (2) FOIA Coordinator. The FOIA Officer attended two (2) DOI FOIA Meetings/Forums. One FOIA Coordinator attended or the DOI FOIA Forum. One FOIA Coordinator attended ASAP Training (September 9-11, 2015).

I prepared this report on January 7, 2016. For questions, please contact me at (443) 498-5521 or at bmayer@usgs.gov.

//SIGNED – BAM//

Brian A. May

Freedom of Information Act Officer

U.S. Geological Survey

USGS Accomplishments – FY[2016]-Q[2]

1. **Describe steps taken to improve your component's FOIA Program this quarter. (Please include at least two steps and explain each with a detailed sentence or two. We are especially interested in how you have improved your program's responsiveness.)**
 - a. Provided a FOIA Overview presentation at the USGS Executive Leadership Team (ELT) meeting. The USGS ELT consists of all of the senior managers within the bureau. Presentation was well received. FOIA Program earning trust and support of senior management.
 - b. FOIA Officer and team member traveled to Portland, OR; Seattle, WA; and Corvallis, OR:
 - (1) held FOIA Overview and Questions and Answers sessions at a science center at each location (in person and on the phone/Webex).
 - (2) Intent of the “road shows” is to discuss the USGS-specific challenges while processing FOIA requests and to earn the trust of the science community at-large.
 - (3) Focusing discussions on USGS position as a consultant, the inter-/intra-agency tests of FOIA Exemption 5, use of email, personal records, peer reviews, and other matters germane to USGS.
 - (4) USGS Ecosystems Mission Area funded the trip for the FOIA team members.
 - c. Provided a FOIA Overview and Question and Answer session for the Midwest Region.
 - d. Provided a FOIA Overview for the Fundamental Science Practices Advisory Committee. Discussed how we could not categorically exclude information under the FSPs and how the inter-/intra-agency record test impacts our use of FOIA Exemption 5.
 - e. Hiring Actions:
 - (1) Submitted a hiring action waiver to announce a GS-5/7 Government Information Specialist position.
 - f. Revised Weekly Open/Closed FOIA Report and share the report with the FOIA Team and some USGS Components with mutual interest in the Open/Closed FOIA requests. Added the report to Google Drive so everyone can have “real-time” access to the report.
 - (1) Send managers a Historical Snapshot of our FOIA Program, which compares each year to the present year, and each month to the present month. This report has been crucial to garnering support for the FOIA Program and led to the hiring actions. Added the report to Google Drive, eliminates the need to email the report
 - (2) Provided managers with a comparison of FOIA requests received and processed by each USGS Mission Area. Met with the Ecosystems Deputy Director, explained the challenges that the FOIA Program faces for requests for Ecosystems records.

USGS Accomplishments – FY[2016]-Q[2]

2. Please list at least two instances of meaningful discretionary disclosures your component has made this quarter.

Discretionary Disclosures		
Subject of the Request	Exempt information that was released	Exemption(s) that would have covered the released information
PCTC v. USGS (FOIA Litigation)	Completed our review of thousands of pages associated with the litigation and submitted our Vaughn Index to the judge.	Exemption 5

3. Please list at least two instances of meaningful proactive disclosures your component has made this quarter.

Proactive Disclosures and Transparency	
Description of new records, datasets, videos, etc. posted	Website URL or FOIA Library location
USGS routinely posts publications on-line	http://pubs.er.usgs.gov/
USGS routinely posts data	http://water.usgs.gov/data/ http://www.usgs.gov/pubprod/data.html http://vterrain.org/Misc/usgs_data.html http://earthexplorer.usgs.gov/
USGS posts information on data.gov	http://catalog.data.gov/dataset?q=%22usgs%22&sort=metadata_modified+desc&organization=usgs-gov&ext_location=&ext_bbox=&ext_prev_extent=-139.2187499999997%2C8.754794702435617%2C-61.8749999999999%2C61.77312286453146

USGS Accomplishments – FY[2016]-Q[2]

<p>The USGS responds to public inquiries through a variety of communications channels. It's called Ask-USGS. The Office of Communications and Publishing staffs these activities in the Science Information Services group. They provide the public with useful information through Frequently Asked Questions, links to Social Media content (Twitter, Facebook, Instagram), online webchat, e-mail responses, and a toll-free phone number.</p> <p>Customer Service Accomplishments for 1Q 2016 include:</p> <p>SIS Customer Service e-mails = 3,184</p> <p>SIS Customer Service phone calls = 2,870</p> <p>SIS Customer Service live webchats – 511</p> <p>Total: 6,565</p>	<p style="text-align: center;">http://answers.usgs.gov/cgi-bin/gsanwers?tmplt=4</p>
<p>USGS provides Mr. Kevin Bogardus records he seeks on a recurring basis before he submits his FOIA requests.</p>	<p>4 total requests this quarter</p>

4. Please provide at least one example of how your component has improved its online presence (e.g., new efforts to solicit feedback on website content/presentation, improve content and search capabilities).

We are revised our intranet page, which will include on-going updates/revisions. We are working to overhaul and enhance our public facing webpage. We met with the Office of Communications and the FOIA webpage will be one of the pilot test pages for the new webpage template.

5. Please discuss your efforts to reduce your backlog.

The workload has increased and we are currently ahead of last year's record pace. We have we have all of backlogged cases in varying stages of review, including our Exceptional/Voluminous cases. We currently have 9 of the 33 backlogged cases pending legal review.

USGS Accomplishments – FY[2016]-Q[2]

6. Please discuss your efforts to close the ten oldest requests reported in your component's last FOIA Annual Report.

USGS-2013-00159 – Currently #1 in the Complex Queue. Provided records to DOD on November 23rd and December 4th to review and provide their consultation. On December 22, 2015, DOD responded and stated it would take them 2-3 months to review to our request for Consultation. DOD expects to complete the review by April 30, 2016. Brian anticipates that USGS will close this request in FY 2016.

USGS-2014-00043 – Currently #1 in the Exceptional/Voluminous Processing Queue. Received five (5) paper boxes full of responsive records (24,110 pages). On September 30, 2015, the FOIA requester agreed to limit the scope of their request to the email strings only and not to include the attachments to the emails. The requested stated that if they want the emails in the future, they will submit requests for specific attachments. Completed Consultations with the Fish and Wildlife Service, National Parks Service, and the U.S. Forest Service. Provided 1,913 pages of records through six interim releases dated: December 7, 2015; December 8, 2015; December 9, 2015; February 5, 2016; February 12, 2016; March 21, 2016. **On March 22, 2016, sent 612 pages to the Office of the Solicitor for a legal review.** Brian anticipates that USGS will close this request in FY 2016.

USGS-2014-00126 – Currently #2 in the Exceptional/Voluminous Processing Queue. This case involves four scientist's emails, which are thousands of pages of emails and hundreds of email attachments with an unknown page count. Brian has completed his review of 3 of the 4 scientist's emails (2,115 pages reviewed) and sent the records back to the Alaska Science Center to review and answer some questions about the records. Brian does not think that some of the records are actually agency records and will reengage with SOL on this topic, provide SOL with the answers to Brian's questions, and the records for them to review before sending an Interim Response.

USGS-2015-00021 – Currently #3 in the Exceptional/Voluminous Processing Queue. Brian has provided three Interim Responses to date and made two referrals to the EPA. The Interim Responses and referrals cover the emails responsive to the request. The requester wants Brian to review the remaining 1,345 records (not pages of records), exceeding 3.1 GB that the scientist provided from his C: drive and laptop. Will resume processing this request once 2014-00043 and 2014-00126 are complete. This case is tied to an EPA / DOJ litigation. DOJ asked to receive copies of the records that we plan to release.

USGS-2015-00057 – Completed on January 19, 2016

USGS-2015-00082 – Currently #3 in the Complex Processing Queue. On April 30, 2015, sent Interim Release to requester (information that was publicly available on the USGS IQA webpage). **Case has been pending legal review since April 30, 2015.** On August 7, 2015, the SOL DGL reviewed the records, offered his opinion and requested additional information. On August 17, 2015, Brian provided the SOL DGL attorney with the additional information that he asked for. On September 9, 2015, SOL DGL attorney conducted his second review of the records and asked for additional analysis, information, and edits to the response letter. On October 1, 2015, Brian provided the SOL DGL attorney with the additional analysis, information and amended response letter. Still pending SOL DGL attorney review, sent several emails to attorney requesting a status update and not received a response. Brian anticipates that USGS will close this request in FY 2016.

USGS Accomplishments – FY[2016]-Q[2]

USGS-2015-00096 – Currently #4 in the Complex Processing Queue. The scientists provided over 26,000 emails to the FOIA Office. On August 5, 2015, the requester agreed to limit the scope of his request to two scientists' emails and six search terms. Culled/narrowed request resulted in 1,325 emails (not pages of emails). Provided 1,207 pages of records through five interim releases dated: October 26, 2015; November 24, 2015; March 7, 2016; and March 11, 2016. **On March 11, 2016, sent 102 emails to the Office of the Solicitor for a legal review.** Brian anticipates that USGS will close this request in FY 2016.

USGS-2015-00136 – Currently #5 in the Complex Processing Queue. Sent Interim Responses on July 10, 2015; July 13, 2015; August 25, 2015; and March 7, 2016. FOIA Specialist reviewing remaining records. Brian anticipates that USGS will be able to close this request in FY 2016.

USGS-2015-00137 – Currently #6 in the Complex Processing Queue. FOIA Specialist reviewed 13,665 pages of records (emails and memos) that are part of a Scientific Misconduct Inquiry. Coordinated several Consultations with FWS, DOI OIG, and the Office of Special Counsel. Working closely with SOL while processing the request. Brian anticipates that USGS will be able to close this request in FY 2016.

USGS-2015-00141, 00142, 00143, and 00144 – Currently #7, 8, 9, and 10 in the Complex Processing Queue. EPA referred the requests to USGS on April 20, 2015. On November 25, 2015, sent 1,166 pages to SOL DGL to review. On February 9, 2016, SOL returned the records to USGS to revise the redactions. **On March 16, 2016, USGS sent the package with the revised redactions back to SOL.** The records associated with 2015-00141 are responsive to all four requests. Brian anticipates that USGS will close these requests in FY 2016.

7. Please discuss your training efforts this quarter, including:

a. The number of conferences or trainings held:

- i. 6 presentations (FOIA Overviews/Questions and Answers Sessions)

b. Who lead the training: Brian May, USGS FOIA Officer

c. A brief description of the topics covered:

- i. Provided an overview of the FOIA, the USGS FOIA Program and the USGS FOIA Process.
- ii. Discussed Hot Topics (use of Exemption 5 and deliberative process privilege, inter-/intra-agency threshold, Relationship of the USGS's Fundamental Science Practices and the FOIA, Agency v. Non-Agency Record, Use of gov't email for personal purposes and using personal email for official purposes, USGS's role as a consultant for fed and non-fed entities)
- iii. Discussed potential for litigation, prohibition from depositing FOIA processing fees into USGS lines of accounting, provided the DOI Learn link to the DOJ's FOIA Training, FOIA for Federal Employees
- iv. Proactive Disclosures, relevance/role of AskUSGS

USGS Accomplishments – FY[2016]-Q[2]

- d. **an estimate of the number of participants from your bureau who were in attendance: 20 people per session**
- e. **Whether all bureau employees in the 0306 job series have received core, substantive FOIA training this year (if they have not, please include your plans for ensuring they do receive this training this year).**
 - i. We have three new 0306 job series employees. Two are experienced FOIA specialists, one is new. I have requested funding for all three to attend varying levels of FOIA training in FY 2016, at a training presented by a combination of any of the following organizations/agencies: ASAP, DOJ, USDA (Graduate School).
 - ii. Currently coordinating with DOI FOIA Officer about holding FOIA training at the Denver Federal Center for DOI employees.
 - iii. I attended FOIA training prior to joining USGS. Additionally, I mentored new employees while I worked at SSA and conducted training on several topics, both FOIA and non-FOIA related (e.g. Adobe Professional software)

8. Has your bureau fully complied with the Department’s FOIA Certification Program this quarter? If not, please include how you plan to remedy this deficiency this fiscal year.

USGS has one FOIA Officer and three (3) FOIA Coordinators. The FOIA Officer attended one (1) DOI FOIA Meetings/Forums, one FOIA Coordinator attended one (1) DOI FOIA Officer Meeting.

I prepared this report on March 30, 2016. For questions, please contact me at (443) 498-5521 or at bmay@usgs.gov.

//SIGNED – BAM//

Brian A. May
Freedom of Information Act Officer
U.S. Geological Survey

USGS Accomplishments – FY[2016]-Q[3]

1. Describe steps taken to improve your component’s FOIA Program this quarter. (Please include at least two steps and explain each with a detailed sentence or two. We are especially interested in how you have improved your program’s responsiveness.)

a. Scheduled and attended Acquisition 101 training for the entire FOIA staff with the Office of Acquisitions. Scheduled and attended follow-up training with the Office of Acquisitions on the Procurement Integrity Act. Scheduled and attended Office of Policy and Analysis training about CRADAs, Intellectual Property, Patents and Non-Disclosure Agreements (entire FOIA staff).

b. Held an in-depth discussion with USGS OEI IT Liaisons, the FOIA team, and the Chief, Information and Investment Management. Explained the entire FOIA process to the IT Liaisons, who work with the Region and Center IT staffs.

c. Hiring Actions:

(1) Advertised for a GS-05, Government Information Specialist. Announcement closed on June 15, 2016. Position is a Pathways position and will be fully promotable to a GS-12.

d. Sent managers a Historical Snapshot of our FOIA Program, which compares each year to the present year, and each month to the present month. This report has been crucial to garnering support for the FOIA Program and led to the hiring actions. Added the report to Google Drive, eliminates the need to email the report. Provided managers with a comparison of FOIA requests received and processed by each USGS Mission Area.

2. Please list at least two instances of meaningful discretionary disclosures your component has made this quarter.

Discretionary Disclosures		
Subject of the Request	Exempt information that was released	Exemption(s) that would have covered the released information

USGS Accomplishments – FY[2016]-Q[3]

3. Please list at least two instances of meaningful proactive disclosures your component has made this quarter.

Proactive Disclosures and Transparency	
Description of new records, datasets, videos, etc. posted	Website URL or FOIA Library location
USGS routinely posts publications on-line	http://pubs.er.usgs.gov/
USGS routinely posts data	http://water.usgs.gov/data/ http://www.usgs.gov/pubprod/data.html http://vterrain.org/Misc/usgs_data.html http://earthexplorer.usgs.gov/
USGS posts information on data.gov	http://catalog.data.gov/dataset?q=%22usgs%22&sort=metadata_modified+desc&organization=usgs-gov&ext_location=&ext_bbox=&ext_prev_extent=-139.21874999999997%2C8.754794702435617%2C-61.87499999999999%2C61.77312286453146
<p>The USGS responds to public inquiries through a variety of communications channels. It's called Ask-USGS. The Office of Communications and Publishing staffs these activities in the Science Information Services group. They provide the public with useful information through Frequently Asked Questions, links to Social Media content (Twitter, Facebook, Instagram), online webchat, e-mail responses, and a toll-free phone number.</p> <p>Customer Service Accomplishments for 1Q 2016 include:</p> <p>[I can provide stats if needed]</p>	http://answers.usgs.gov/cgi-bin/ganswers?tmpl=4
USGS provides Mr. Kevin Bogardus records he seeks on a recurring basis before he submits his FOIA requests.	7 total requests this quarter

USGS Accomplishments – FY[2016]-Q[3]

- 4. Please provide at least one example of how your component has improved its online presence (e.g., new efforts to solicit feedback on website content/presentation, improve content and search capabilities).**

Nothing to report this quarter.

- 5. Please discuss your efforts to reduce your backlog.**

Our workload remains close to last year's record pace. We have we have all of backlogged cases in varying stages of review, including our Exceptional/Voluminous cases. We currently have 9 of the 31 backlogged cases pending legal review.

- 6. Please discuss your efforts to close the ten oldest requests reported in your component's last FOIA Annual Report.**

USGS-2013-00159 – Closed on April 1, 2016.

USGS-2014-00043 – Closed on June 24, 2016

USGS-2014-00126 – Currently #1 in the Exceptional/Voluminous Processing Queue. This case involves four scientist's emails, which are thousands of pages of emails and hundreds of email attachments for a total of 4,456 pages. Brian completed his review and provided an Interim Release #1 (970 pages) on June 7, 2016. Brian provided Interim Release #2 (37 pages) on July 5, 2016. Brian coordinated consultations with Canada and USDA APHIS. Brian coordinating consultations with both NPS and FWS and referred 104 pages to FWS to review and process. Brian does not think that some of the records are actually agency records and will reengage with SOL on this topic when sending the final package to SOL for a legal review.

USGS-2015-00021 – Currently #2 in the Exceptional/Voluminous Processing Queue. Brian has provided four Interim Responses to date and made six referrals to the EPA. The Interim Responses and referrals cover the emails and records from Bob Seal's hard drives responsive to the request. On July 5, 2016, Brian FEDEX'd the EPA Region 10 counsel a thumbdrive with all of Bob Seal's files so that the EPA can help determine the remaining records that USGS will review and process and the remaining records to refer to the EPA. The remaining records exceed 1,100 records and over 2.5 GB. Actively working on this request. This case is tied to an EPA / DOJ litigation. DOJ asked to receive copies of the records that we plan to release.

USGS-2015-00057 – Completed on January 19, 2016

USGS Accomplishments – FY[2016]-Q[3]

USGS-2015-00082 – Currently #1 in the Complex Processing Queue. On April 30, 2015, sent Interim Release to requester (information that was publicly available on the USGS IQA webpage). **Case has been pending legal review since April 30, 2015.** On August 7, 2015, the SOL DGL reviewed the records, offered his opinion and requested additional information. On August 17, 2015, Brian provided the SOL DGL attorney with the additional information that he asked for. On September 9, 2015, SOL DGL attorney conducted his second review of the records and asked for additional analysis, information, and edits to the response letter. On October 1, 2015, Brian provided the SOL DGL attorney with the additional analysis, information and amended response letter. Still pending SOL DGL attorney review and Brian has been working with the SOL DGL attorney to resolve the outstanding issue and to obtain the legal review. Brian anticipates that USGS will close this request in FY 2016.

USGS-2015-00096 – Closed on April 11, 2016

USGS-2015-00136 – Currently #2 in the Complex Processing Queue. Sent remaining records to SOL DGL for legal review on June 13, 2016. Brian anticipates that USGS will be able to close this request in FY 2016.

USGS-2015-00137 – Currently #3 in the Complex Processing Queue. Sent 104 pages of records to SOL DGL for a legal review on April 13, 2016. FOIA Specialist reviewed 13,665 pages of records (emails and memos) that are part of a Scientific Misconduct Inquiry. Coordinated several Consultations with FWS, DOI OIG, and the Office of Special Counsel. Referred over 13,200 pages to FWS to review and process. Brian anticipates that USGS will be able to close this request in FY 2016.

USGS-2015-00141, 00142, 00143, and 00144 – All of these closed on June 15, 2016.

7. Please discuss your training efforts this quarter, including:

a. The number of conferences or trainings held:

- i. None this quarter

b. Who lead the training:

c. A brief description of the topics covered:

d. an estimate of the number of participants from your bureau who were in attendance:

e. Whether all bureau employees in the 0306 job series have received core, substantive FOIA training this year (if they have not, please include your plans for ensuring they do receive this training this year).

- i. We have three new 0306 job series employees. Two are experienced FOIA specialists, one is new. I have requested funding for all three to attend varying levels of FOIA training in FY 2016, at a training presented by a combination of any of the following organizations/agencies: ASAP, DOJ, USDA (Graduate School).
- ii. I attended FOIA training prior to joining USGS. Additionally, I mentored new employees while I worked at SSA and conducted training on several topics, both FOIA and non-FOIA related (e.g. Adobe Professional software)

USGS Accomplishments – FY[2016]-Q[3]

8. Has your bureau fully complied with the Department's FOIA Certification Program this quarter? If not, please include how you plan to remedy this deficiency this fiscal year.

USGS has one FOIA Officer and three (3) FOIA Coordinators. The FOIA Officer attended one (2) DOI FOIA Meetings/Forums, one FOIA Coordinator attended one (1) DOI FOIA Officer Meeting.

I prepared this report on July 6, 2016. For questions, please contact me at (443) 498-5521 or at bmay@usgs.gov.

//SIGNED – BAM//

Brian A. May

Freedom of Information Act Officer

U.S. Geological Survey