

2015 Chief FOIA Officer Report  
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**Section I: Steps Taken to Apply the Presumption of Openness**

The guiding principle underlying the President's FOIA Memorandum and the Attorney General's FOIA Guidelines is the presumption of openness.

Please answer the following questions in order to describe the steps your agency has taken to ensure that the presumption of openness is being applied to all decisions involving the FOIA. You may also include any additional information that illustrates how your agency is working to apply the presumption of openness.

***FOIA Training:***

**Agencies Receiving More Than 1,000 Requests**

1. Did your agency conduct FOIA training during the reporting period for FOIA professionals? Training can include holding an agency-wide FOIA conference, holding a seminar on a particular FOIA topic, or provided training to FOIA or agency staff during a staff meeting, among other types of training. However, the training provided should be substantive and should cover the application of the law and policy.

Yes

2. If yes, please provide a brief description of the type of training conducted and the topics covered.

The Department provided Advanced FOIA Training for Program Office FOIA Coordinators on March 13, 2014, that covered the FOIA process, discretionary releases, frequently used exemptions, search efforts, capturing processing costs, search cut-off dates, and fees charged. In follow-up, the presentation was provided to attendees and each coordinator was asked to propose dates for FOIA training for their program offices. Extremely positive feedback from the attendees was received.

3. Did your FOIA professionals attend any FOIA training or conference during the reporting period such as that provided by the Department of Justice? Such training or events can include offerings from OIP, your own agency or another agency or organization.

FOIA staff attended the following courses provided by the Department of Justice:

- Advanced Freedom of Information Act Seminar – March 26, 2014.
  - Freedom of Information Act for Attorneys and Access Professionals – May 13-14, 2014.
  - Freedom of Information Act Administrative Forum – June 11, 2014.
4. Provide an estimate of the percentage of your FOIA professionals and staff with FOIA responsibilities who attended substantive FOIA training during this reporting period.

100%

5. In the 2014 Chief FOIA Officer Report Guidelines, OIP asked agencies to provide a plan for ensuring that core, substantive FOIA training is offered to all agency FOIA professionals at least once each year. Please provide the status of your agency's implementation of this plan. Include any successes or challenges your agency has seen in implementing your plan.

Office of the Executive Secretariat and Office of General Counsel (OGC) work together to provide training at least once annually. A training titled "FOIA and Personal Privacy as a Federal Employee" is planned for 2015.

***Outreach:***

**Agencies Receiving More Than 1,000 Requests**

6. Did your FOIA professionals engage in any outreach or dialogue with the requester community or open government groups regarding your administration of the FOIA? This question addresses outreach that is conducted outside of the individual request or appeal process. For example, outreach activities can include engaging with frequent requesters by holding meetings or events which include them, conducting surveys or otherwise soliciting requester feedback, or participating in any other requester initiative coordinated by your agency or by others, such as OIP.

HUD's Homeownership Center FOIA Liaison reached out to a frequent requester and was able to establish a weekly schedule of consolidated requests versus the daily submissions for single case files. This practice has become a more efficient and effective process for both the requester and HUD.

7. If you did not conduct any outreach during the reporting period, please describe why?

N/A

***Discretionary Releases:***

**Agencies Receiving More Than 1,000 Requests**

8. Does your agency have a distinct process or system in place to review records for discretionary release? If so, please briefly describe this process. If your agency is decentralized, please specify whether all components of your agency have such a process or system in place.

HUD currently reviews its records for discretionary release, and the legal review is always conducted from the perspective of discretionary release as long as there is no foreseeable harm to the agency. It has been adopted as a regular practice throughout the agency that when each FOIA response goes through the concurrence process, discretionary release of information is considered and the FOIA Liaison works with the program office to point out where discretionary release may be granted.

9. During the reporting period, did your agency make any discretionary releases of information?

Yes

10. What exemption(s) would have covered the material released as a matter of discretion? For a discussion of the exemptions that allow for discretionary releases, please see OIP's guidance on implementing the President's and Attorney General's FOIA Memoranda.

Exemption 5

11. Provide a narrative description, as well as some specific examples, of the types of information that your agency released as a matter of discretion during the reporting year.

HUD released some deliberative communications between staff and supervisors as opposed to withholding pursuant to FOIA Exemption 5, which was done as a matter of practice. Instead of blanket applications of Exemption 5, a determination of any "foreseeable harm" is now being made. Both Headquarters and field offices made discretionary releases of information contained in draft documents and continues to release handwritten notes and emails that would have customarily been withheld under Exemption 5.

12. If your agency was not able to make any discretionary releases of information, please explain why.

N/A

***Other Initiatives:***

**Agencies Receiving More Than 1,000 Requests**

13. Describe any efforts your agency has undertaken to inform non-FOIA professionals of their obligations under the FOIA? Efforts can include training for non-FOIA professionals, distributing memoranda on the FOIA, announcements on FOIA matters, etc.

The Department provided training for non-FOIA professionals that encompassed an entire overview of the FOIA process. It also stressed to program offices the importance of diligently searching for records responsive to FOIA requests and of meeting program office due dates.

The Office of General Counsel provided program office-specific FOIA training to inform staff about FOIA basics and what an employee's responsibilities are if they are asked to search for documents in response to a FOIA request. The objective was to de-mystify what the FOIA is and minimize misunderstanding and uncertainty about procedures, which should improve FOIA processing overall. OGC covered the legal aspects of FOIA and the FOIA Liaisons covered the administrative aspects of processing requests, plus provided real examples of requests and frequently used exemptions specific to the program offices. The Office of the Executive Secretariat staff also provided an overview to program office staff on FOIA basics and employee responsibilities under the FOIA.

14. If there are any other initiatives undertaken by your agency to ensure that the presumption of openness is being applied, please describe them here. If any of these initiatives are online, please provide links in your description.

To ensure openness and consistency, the Department's FOIA regulations are being updated from those used in 2007. The revised regulations will provide a cornerstone for training liaisons across the Department. The Department also adds information in the final response letter as to where the requester can obtain the information they are seeking as a matter of discretion whenever possible to help a requester understand the process. For example, if a requester asks for tenant records and the search yielded no records, in the response an explanation would be included that HUD does not maintain individual tenant records, a public housing authority may maintain those records, and provide contact information for the public housing authority.

## **Section II: Steps Taken to Ensure that Your Agency Has an Effective System in Place for Responding to Requests**

As the Attorney General emphasized in his FOIA Guidelines, "[a]pplication of the proper disclosure standard is only one part of ensuring transparency. Open government requires not just a presumption of disclosure, but also an effective system for responding to FOIA requests." It is essential that agencies effectively manage their FOIA program.

Please answer the following questions to describe the steps your agency has taken to ensure that your management of your FOIA program is effective and efficient. You should also include any additional information that that describes your agency's efforts in this area.

### ***Personnel:***

#### **Agencies Receiving More Than 1,000 Requests**

1. In the 2014 Chief FOIA Officer Report Guidelines, OIP asked agencies about the status of converting all eligible FOIA professionals to the new Government Information Series. If your agency reported that its staff was eligible for conversion but had not yet converted all professionals to the new series, what is the current proportion of personnel that have been converted?

100%

2. If your agency has not converted all of its eligible employees yet, what is your plan to ensure that all FOIA professionals' position descriptions are converted?

N/A

### ***Processing Procedures:***

#### **Agencies Receiving More Than 1,000 Requests**

3. For Fiscal Year 2014, what was the average number of days your agency reported for adjudicating requests for expedited processing? Please see Section VIII.A. of your agency's Fiscal Year 2014 Annual FOIA Report. Please note here if your agency did not adjudicate any requests for expedited processing during Fiscal Year 2014.

3 days

4. If your agency's average number of days to adjudicate requests for expedited processing was above ten calendar days, please describe the steps your agency will take to ensure that requests for expedited processing are adjudicated within ten calendar days or less.

N/A

5. If your agency has a decentralized FOIA process, has your agency taken steps to make the routing of misdirected requests within your agency more efficient? If so, please describe those steps.

Misdirected FOIA requests that are received in Headquarters are reassigned/transferred to the Regional offices for response via the FOIA management system. Requests that are received in the Regional offices are handled in the same manner. FOIA Liaisons are responsible for tracking the requests from the time they are received, through completion.

6. If your agency is already handling the routing of misdirected requests in an efficient manner, please note that here and describe your process for these requests.

Any misdirected requests are normally responded to and/or referred to the appropriate agency/office within 10 days of receipt. Referral letters are prepared and mailed to the requester, advising them of the new contact person/office.

***Requester Services:***

**Agencies Receiving More Than 1,000 Requests**

7. Does your agency notify requesters of the mediation services offered by the Office of Government Information Services (OGIS) at the National Archives and Records Administration? *See OIP Guidance*, “Notifying Requesters of the Mediation Services Offered by OGIS.” (July 9, 2010).

HUD notifies requesters of the mediation services offered by OGIS in its appeal determination responses.

8. When assessing fees, does your agency provide a breakdown of how FOIA fees were calculated and assessed to the FOIA requester? For example, does your agency explain the amount of fees attributable to search, review, and duplication? *See OIP Guidance*, “The Importance of Good Communication with FOIA Requesters 2.0: Improving Both the Means and the Content of Requester Communications.” (Nov. 22, 2013).

The Department provides in the invoice that is sent to the requester and in the response letter a breakdown of all applicable fees. For example, the letter and invoice explain the cost of search and review time based upon the salary of the employee conducting the search and/or review. Also included in the letter and invoice is duplication cost, if applicable.

9. If estimated fee estimates are particularly high, does your agency provide an explanation for the estimate to the requester?

It is HUD's practice to provide an explanation to requesters of all fees, including a breakdown of search, review, and duplication costs, as well as other applicable fees. In addition, the response letter provides language inviting the requester to redefine his or her request to meet their needs at a reduced cost, in the event that the estimated fees are higher than anticipated.

***Other Initiatives:***

**Agencies Receiving More Than 1,000 Requests**

10. If there are any other steps your agency has undertaken to ensure that your FOIA system operates efficiently and effectively, such as conducting self-assessments to find greater efficiencies, improving search processes, eliminating redundancy, etc., please describe them here.

Management utilizes a number of custom and ad hoc reports to assess efficiencies and eliminate redundancies. Many of these reports are programmed to automatically generate in HUD's electronic FOIA management system. Senior management also meets with FOIA Liaisons Department-wide to discuss new ideas, ways to streamline processes, obtain feedback, provide assistance and training, and resolve any problems and/or concerns.

**Section III: Steps Taken to Increase Proactive Disclosures**

Both the President and Attorney General focused on the need for agencies to work proactively to post information online without waiting for individual requests to be received.

Please answer the following questions to describe the steps your agency has taken to increase the amount of material that is available on your agency websites. In addition to the questions below, you should also describe any additional steps taken by your agency to make and improve proactive disclosures of information.

***Posting Material:*****Agencies Receiving More Than 1,000 Requests**

1. Does your agency have a distinct process or system in place to identify records for proactive disclosures? If so, please describe your agency's process or system.

Departmental FOIA staff regularly meets with Office of General Counsel staff to identify FOIA requests that could possibly contain records for proactive disclosure.

2. Does your process or system involve any collaboration with agency staff outside the FOIA office? If so, describe this interaction.

Once it has been determined that records meet the criteria for proactive disclosure, program office experts are consulted prior to posting the data on the website.

3. Describe your agency's process or system for identifying "frequently requested" records that should be posted online.

Once information is requested three or more times it is considered frequently requested material. FOIA requests are checked regularly by FOIA staff for content to ascertain how frequently certain information is requested.

4. Provide examples of material that your agency has proactively disclosed during the past reporting year, including links to the posted material.

- Native American Programs:  
<http://www.hud.gov/offices/pih/ih/codetalk/onap/akonap/common.cfm>
- Multifamily Housing Hub Data:  
<http://portal.hud.gov/hudportal/HUD?src=/states/shared/working/localpo/xmfhsgdata>

***Other Initiatives:*****Agencies Receiving More Than 1,000 Requests**

5. If there are any other steps your agency has taken to increase proactive disclosures, please describe them here.

The posted material is reviewed quarterly to ensure that the websites are functional and the materials are available for viewing.

## **Section IV: Steps Taken to Greater Utilize Technology**

A key component of the President's FOIA Memorandum was the direction to "use modern technology to inform citizens about what is known and done by their Government." In addition to using the Internet to make proactive disclosures, agencies should also be exploring ways to utilize technology in responding to requests.

Please answer the following questions to describe how your agency is utilizing technology to improve its FOIA administration and the public's access to information. You should also include any additional information that that describes your agency's efforts in this area.

### ***Online Tracking of FOIA Requests and Appeals:***

#### **Agencies Receiving More Than 1,000 Requests**

1. Can a member of the public track the status of his or her request or appeal electronically?

Members of the public can track their requests and/or appeals electronically for all components of the agency.

2. If yes, how is this tracking feature provided to the public? For example, is it being done through the regular posting of status logs, an online portal, or through another medium?

The tracking feature is provided to the public via an online portal.

3. If your agency does provide online tracking, please describe the information that is provided to the requester through this feature. For example, some online tracking features may tell the requester whether the request is "open" or "closed," while others will provide further details throughout the course of the processing, such as "search commenced" or "documents currently in review."

When FOIA requests are submitted through the online portal, they are delivered to the FOIA management system automatically, thereby, reducing data entry time. As a result, communication with the public is automated and expedited. The requester is provided with a request number, received date, estimated delivery time, and status. The following statuses are available to requesters via the online portal: assigned for processing, on hold—need information or clarification, in process, cost estimate sent, documents delivered, and closed.

4. If your agency does provide online tracking for requesters, does this feature also provide an estimated date of completion?

Yes

5. If your agency does not provide online tracking of requests or appeals, is your agency taking steps to establish this capability? If not, please explain why?

N/A

***Making Material Posted Online More Useful:***

**Agencies Receiving More Than 1,000 Requests**

6. Beyond posting new material, is your agency taking steps to make the posted information more useful to the public, especially to the community of individuals who regularly access your agency's website? Steps can include soliciting feedback on the content and presentation of posted material, improving search capabilities on your agency website, posting material in open formats, making information available through mobile applications, providing explanatory material, etc.

Yes

7. If yes, please provide examples of such improvements. If your agency is already posting material in its most useful format, please describe these efforts.

The Department continues to work with the Offices of General Counsel and the Chief Information Officer in improving upon electronic search tools utilized to search for electronic versions of agency records.

8. Have your agency's FOIA professionals interacted with other agency staff (such as technology specialists or public affairs or communications professionals) in order to identify if there are any new ways to post agency information online?

Yes

9. Did your agency use any means to publicize or highlight important proactive disclosures for public awareness? If yes, please describe those efforts. For example, this can be done through social media or with the offering of e-mail subscription services.

Along with proactively posting records to the Department's website, HUD utilizes traditional media, email alerts, Facebook, Twitter, and YouTube to disseminate information to the public and works with other Federal and state agencies to make public information available as quickly as possible. HUD also works with government and non-government partners to leverage social and traditional media to cross promote and highlight some of the most important web content.

10. Has your agency encountered challenges that make it difficult to post records you otherwise would like to post?

No

11. If so, please briefly explain what those challenges are.

N/A

***Use of Technology to Facilitate Processing of Requests:***

**Agencies Receiving More Than 1,000 Requests**

12. Beyond using technology to redact documents, is your agency taking steps to utilize more advanced technology to facilitate overall FOIA efficiency, such as improving record search capabilities, utilizing document sharing platforms for consultations and referrals, or employing software that can sort and de-duplicate documents? If yes, describe the technological improvements being made.

Upgrades to HUD's electronic FOIA management system have aided in facilitating overall efficiency; for example, improved search capabilities, enhanced accuracy in the assessment of fees and calculation of processing days, and automatic population of the requester's email address.

13. Are there additional tools that could be utilized by your agency to create further efficiencies?

The Department is looking at software that would allow a user to sift through emails and identify duplicates, which would greatly reduce search time and allow more efficiency.

***Other Initiatives:***

**Agencies Receiving More Than 1,000 Requests**

14. Did your agency successfully post all four quarterly reports for Fiscal Year 2014? Please see OIP's guidance for posting of quarterly reports to ensure that your agency is following all required steps (including using the correct file type and URL structure) so that your quarterly reports are properly appearing on FOIA.gov. (If your reports are posted to your website, but not appearing on FOIA.gov, please contact OIP in order to resolve the issue.)

Yes

15. If your agency did not successfully post all quarterly reports, with information appearing on FOIA.gov, please explain why and provide your agency's plan for ensuring that such reporting is successful in Fiscal Year 2015.

N/A

16. Do your agency's FOIA professionals use e-mail or other electronic means to communicate with requesters whenever feasible? *See OIP Guidance*, "The Importance of Good Communication with FOIA Requesters 2.0: Improving Both the Means and the Content of Requester Communications." (Nov. 22, 2013) If yes, what are the different types of electronic means utilized by your agency to communicate with requesters?

HUD utilizes email and the public access link within the FOIA management system to send immediate responses to requesters.

17. If your agency does not communicate electronically with requests as a default, are there any limitations or restrictions for the use of such means? If yes, does your agency inform requesters about such limitations? *See id.*

N/A

### **Section V: Steps Taken to Improve Timeliness in Responding to Requests and Reducing Backlogs**

The President and the Attorney General have emphasized the importance of improving timeliness in responding to requests. This section your Chief FOIA Officer Report addresses both time limits and backlog reduction. Backlog reduction is measured both in terms of numbers of backlogged requests or appeals and by looking at whether agencies closed their ten oldest requests, appeals, and consultations. *For the figures required in this Section, please use the numbers contained in the specified sections of your agency's 2014 Annual FOIA Report and, when applicable, your agency's 2013 Annual FOIA Report.*

**Simple Track:** Section VII.A of your agency's Annual FOIA Report, entitled "FOIA Requests – Response Time for All Processed Requests," includes figures that show your agency's average response times for processed requests. For agencies utilizing a multi-track system to process requests, there is a category for "simple" requests, which are those requests that are placed in the agency's fastest (non-expedited) track, based on the low volume and/or simplicity of the records requested.

### **Agencies Receiving More Than 1,000 Requests**

1. Does your agency utilize a separate track for simple requests?

Yes

2. If so, for your agency overall in Fiscal Year 2014, was the average number of days to process simple requests twenty working days or fewer?

No

3. Please provide the percentage of requests processed by your agency in Fiscal Year 2014 that were placed in your simple track.

31%

4. If your agency does not track simple requests separately, was the average number of days to process all non-expedited requests twenty working days or fewer?

N/A

**Backlogs:** Section XII.A of your agency's Annual FOIA Report, entitled "Backlogs of FOIA Requests and Administrative Appeals" shows the numbers of any backlogged requests or appeals from the fiscal year. You should refer to these numbers from your Annual FOIA Reports for both Fiscal Year 2013 and Fiscal Year 2014 when completing this section of your Chief FOIA Officer Report.

### **Agencies Receiving More Than 1,000 Requests**

#### **BACKLOGGED REQUESTS**

5. If your agency had a backlog of requests at the close of Fiscal Year 2014, did that backlog decrease as compared with the backlog reported at the end of Fiscal Year 2013?

Yes

If not, explain why and describe the causes that contributed to your agency not being able to reduce its backlog. When doing so, please also indicate if any of the following were contributing factors:

- a. An increase in the number of incoming requests. N/A
- b. A loss of staff. N/A
- c. An increase in the complexity of the requests received. N/A

6. If you had a request backlog, please report the percentage of requests that make up the backlog out of the total number of requests *received* by your agency in Fiscal Year 2014. To calculate your agency's percentage, you must divide the number of backlogged requests reported in Section XII.A. of your Fiscal Year 2014 Annual FOIA Report by the number of requests received in Fiscal Year 2014, which can be found in Section V.A. of your Annual FOIA Report. Once divided, you can multiply that number by 100 to get the percentage.

10%

### **BACKLOGGED APPEALS**

7. If your agency had a backlog of appeals at the close of Fiscal Year 2014, did that backlog decrease as compared with the backlog reported at the end of Fiscal Year 2013?

No

If not, explain why and describe the causes that contributed to your agency not being able reduce backlog. When doing so, please also indicate if any of the following were contributing factors:

- a. An increase in the number of incoming appeals. N/A.
  - b. A loss of staff. Yes, there was retirement amongst some of the FOIA staff and personnel changes within the Office of General Counsel.
  - c. An increase in the complexity of the appeals received. N/A.
8. If you had an appeal backlog, please report the percentage of appeals that make up the backlog out of the total number of appeals received by your agency in Fiscal Year 2014. If your agency did not receive any appeals in Fiscal Year 2014 and/or has no appeal backlog, please answer with "N/A." To calculate your agency's percentage, you must divide the number of backlogged appeals reported in Section XII.A. of your Fiscal Year 2014 Annual FOIA Report by the number of appeals received in Fiscal Year 2014, which can be found in Section V.A. of your Annual FOIA Report. Once divided, you can multiply that number by 100 to get the percentage.

16%

***Backlog Reduction Plans:***

**Agencies Receiving More Than 1,000 Requests**

9. In the 2014 guidelines for Chief FOIA Officer Reports, any agency with a backlog of over 1,000 requests in Fiscal Year 2013 was asked to provide a plan for achieving backlog reduction in the year ahead. Did your agency implement a backlog reduction plan last year? If so, describe your agency's efforts in implementing this plan and note if your agency was able to achieve backlog reduction in Fiscal Year 2014?

N/A

10. If your agency had a backlog of more than 1,000 requests in Fiscal Year 2014, what is your agency's plan to reduce this backlog during Fiscal Year 2015?

N/A

***Status of Ten Oldest Requests, Appeals, and Consultations:*** Section VII.E, entitled "Pending Requests – Ten Oldest Pending Requests," Section VI.C.(5), entitled "Ten Oldest Pending Administrative Appeals," and Section XII.C., entitled "Consultations on FOIA Requests – Ten Oldest Consultations Received from Other Agencies and Pending at Your Agency," show the ten oldest pending requests, appeals, and consultations. You should refer to these numbers from your Annual FOIA Reports for both Fiscal Year 2013 and Fiscal Year 2014 when completing this section of your Chief FOIA Officer Report.

**Agencies Receiving More Than 1,000 Requests**

**TEN OLDEST REQUESTS**

11. In Fiscal Year 2014, did your agency close the ten oldest requests that were reported pending in your Fiscal Year 2013 Annual FOIA Report?

Yes

12. If no, please provide the number of these requests your agency was able to close by the end of the fiscal year, as listed in Section VII.E of your Fiscal Year 2013 Annual FOIA Report. If you had less than ten total oldest requests to close, please indicate that. For example, if you only had seven requests listed as part of your "ten oldest" in Section VII.E., and you closed six of them, you should note that you closed six out of seven "oldest" requests.

N/A

13. Of the requests your agency was able to close from your ten oldest, please indicate how many of these were closed because the request was withdrawn by the requester. If any were closed because the request was withdrawn, did you provide any interim responses prior to the withdrawal?

None of the ten oldest requests were withdrawn by requesters.

#### **TEN OLDEST APPEALS**

14. In Fiscal Year 2014, did your agency close the ten oldest appeals that were reported pending in your Fiscal Year 2013 Annual FOIA Report?

No

15. If no, please provide the number of these appeals your agency was able to close by the end of the fiscal year, as listed in Section VII.C.(5) of your Fiscal Year 2013 Annual FOIA Report. If you had less than ten total oldest appeals to close, please indicate that. For example, if you only had seven appeals listed as part of your "ten oldest" in Section VII.C.(5) and you closed six of them, you should note that you closed six out of seven "oldest" appeals.

HUD closed three of its four oldest appeals.

#### **TEN OLDEST CONSULTATIONS**

16. In Fiscal Year 2014, did your agency close the ten oldest consultations that were reported pending in your Fiscal Year 2013 Annual FOIA Report?

N/A; there were no consultations received.

17. If no, please provide the number of these consultations your agency was able to close by the end of the fiscal year, as listed in Section XII.C. of your Fiscal Year 2013 Annual FOIA Report. If you had less than ten total oldest consultations to close, please indicate that. For example, if you only had seven consultations listed as part of your "ten oldest" in Section XII.C. and you closed six of them, you should note that you closed six out of seven "oldest" consultations.

N/A

***Additional Information on Ten Oldest Requests, Appeals, and Consultations & Plans:  
Agencies Receiving More Than 1,000 Requests***

18. Briefly explain any obstacles your agency faced in closing its ten oldest requests, appeals, and consultations from Fiscal Year 2013.

The ten oldest requests were closed; however, there was one remaining appeal, which was not closed due to a reduction in staff, as well as the complexity and volume of the appeal.

19. If your agency was unable to close any of its ten oldest requests because you were waiting to hear back from other agencies on consultations you sent, please provide the date the request was initially received by your agency, the date when your agency sent the consultation, and the date when you last contacted the agency where the consultation was pending.

N/A

20. If your agency did not close its ten oldest pending requests, appeals, or consultations, please provide a plan describing how your agency intends to close those “ten oldest” requests, appeals, and consultations during Fiscal Year 2015.

HUD has devoted an additional FOIA Specialist to the pending appeal due to its complexity and voluminous nature and has followed up with the requester in an effort to provide a satisfactory response.

***Interim Responses:***

***Agencies Receiving More Than 1,000 Requests***

21. Does your agency have a system in place to provide interim responses to requesters when appropriate? *See OIP Guidance, “The Importance of Good Communication with FOIA Requesters.”* (Mar. 1, 2010).

Yes

22. If your agency had a backlog in Fiscal Year 2014, please provide an estimate of the number or percentage of cases in the backlog where a substantive, interim response was provided during the fiscal year, even though the request was not finally closed.

The Department estimates that interim responses were provided in 25 percent of its backlogged cases.

## **Use of the FOIA's Law Enforcement Exclusions**

### **Agencies Receiving More Than 1,000 Requests**

Did your agency invoke a statutory exclusion, 5 U.S.C. § 552(c)(1), (2), (3), during Fiscal Year 2014? If so, please provide the total number of times exclusions were invoked.

No

## **Success Story**

### **Agencies Receiving More Than 1,000 Requests**

Out of all the activities undertaken by your agency since March 2014 to increase transparency and improve FOIA administration, please briefly describe here at least one success story that you would like to highlight as emblematic of your agency's efforts. The success story can come from any one of the five key areas. As noted above, these agency success stories will be highlighted during Sunshine Week by OIP. To facilitate this process, all agencies should use bullets to describe their success story and limit their text to a half page. The success story is designed to be a quick summary of key achievements. A complete description of all your efforts will be contained in the body of your Chief FOIA Officer Report.

HUD is continuing to improve its communication with requesters. In November 2014, one of the field offices updated their FOIA template letters to further incorporate plain language, added important information in the first sentence of each paragraph, and added a clause regarding mediation services offered by the Office of Government Information Services. The Regional FOIA Liaison asked non-FOIA program staff to review the templates to ensure the letters were clear and easy to interpret. In addition, the Regional FOIA Liaison confirmed with requesters that information was clear and concise in the acknowledgement letters, fee notices, and response letters.

The Department also complied with a disability advocacy group's request to transmit voluminous fair housing records and findings electronically thereby reducing FOIA processing time while furthering the goal of fair housing.