

**Advisory Council on Historic Preservation
Chief FOIA Officer's Report
March 2018 to March 2019
Chief FOIA Officer: Javier Marques, General Counsel**

Introduction

The Advisory Council on Historic Preservation (ACHP) promotes the preservation, enhancement, and sustainable use of the nation's diverse historic resources, and advises the President and Congress on national historic preservation policy. The work of the ACHP is supported by a staff of 40 employees. The ACHP is a small-volume entity, processing less than fifty (50) Freedom of Information Act (FOIA) requests per year.

I. Steps Taken to Apply the Presumption of Openness

The ACHP receives requests from concerned citizens and interested parties to access a wide variety of agency documents, mainly related to Section 106 of the National Historic Preservation Act (NHPA) review process. Generally, requested records are disclosed in full. Information is withheld only if it meets the criteria of an exemption. Within this reporting period, partial disclosures were made under Exemption 5 to protect the deliberative process and Exemption 6 to protect personal privacy.

II. Steps Taken to Ensure an Effective System is in Place for Responding to Requests

The ACHP has created a spreadsheet to track FOIA requests and assist in creating reports to be submitted to the Office of Information Policy (OIP). The ACHP's Government Information Specialist is responsible for reviewing the requests and collecting responsive records. If any part of the FOIA request is unclear, the Government Information Specialist will contact the requestor to get clarification. All FOIA responses are reviewed and approved by the Chief FOIA Officer.

III. Steps Taken to Increase Proactive Disclosures

Records created as a result of the fulfillment of the agency's mission are promptly made available on the ACHP's website at <https://www.achp.gov/>. This provides the public and others with information relating to the ACHP and the work of the historic preservation community. These records include preservation guidelines, legislation and policies, preservation initiatives, and a digital library including training resources and ACHP publications.

IV. Steps Taken to Greater Utilize Technology

During the reporting period, the ACHP explored the possibility of acquiring FOIA Xpress software to process FOIA requests. Unfortunately, this is not possible at this time due to budget constraints. The ACHP continues to explore other software options to facilitate processing of FOIA requests.

The ACHP website was recently redeveloped, making its content more accessible and user-friendly. There is a dedicated FOIA page in the ACHP website, which can be accessed at <https://www.achp.gov/about/foia>, which provides detailed information on how to file a FOIA request. Requestors can submit a FOIA request by regular mail, fax, email at foia@achp.gov, or via the National FOIA Portal at <https://www.foia.gov/>.

V. Steps Taken to Improve Timeliness in Responding to Requests and Reducing any Backlogs

In May 2018, the ACHP hired a part-time Government Information Specialist to handle FOIA requests. Prior to this date, there was no dedicated FOIA staff and requests were processed by the General Counsel or Associate General Counsel. During the reporting period, the ACHP's Government Information Specialist attended several FOIA meetings and workshops, and worked diligently with the OIP to strengthen the ACHP's FOIA program and meet all regulatory requirements.

Even though the ACHP receives a low volume of FOIA requests compared to other government agencies, most requests involve a large number of records, in some instances, thousands of pages. Furthermore, since the ACHP receives copies of many records originating in other agencies, FOIA requests can often involve lengthy consultations. This can make it challenging to ensure that requests are processed promptly, but the ACHP makes every effort to work in a spirit of cooperation with requesters by keeping them informed and remaining available.