

*Office of the General Counsel***2017 Chief FOIA Officer Report**

The Broadcasting Board of Governors (BBG) is the federal agency responsible for all U.S. Government-funded civilian international broadcasting and media operations. The BBG's mission is to inform, engage, and connect people around the world in support of freedom and democracy. Every week the Voice of America, Office of Cuba Broadcasting, and other elements of BBG-sponsored international broadcasting transmit more than 4,000 hours of original news and informational content in more than 60 languages to approximately 278 million people in 100 countries via radio, terrestrial and satellite television, mobile devices, and the Internet and various social media platforms and applications.

At the BBG all Freedom of Information Act (FOIA) requests are centrally managed within the Office of the General Counsel (OGC). The OGC FOIA team (also referred to as the "FOIA Office") receives all incoming FOIA requests, coordinates the search for and processing of requested materials from throughout the agency, and reviews and releases responses to requesters under the general supervision of the agency's Chief FOIA Officer (currently the Interim General Counsel). The BBG does not employ dedicated full-time FOIA personnel, but instead relies on OGC personnel assigned part-time or occasional FOIA duties. Currently, the BBG's FOIA Office consists of four employees (including the Chief FOIA officer) who perform part-time FOIA duties to manage the program for the entire agency. This report was prepared under the direction of Mr. David Kligerman, the agency's Chief FOIA Officer and Interim General Counsel.

The BBG is committed to conducting its operations as openly and transparently as possible and consistently strives to meet all its expectations under the FOIA and additional Executive Branch guidance. As in prior years, the agency continued to make its most valuable information, namely the multimedia content it creates for dissemination to audiences overseas, directly and freely accessible to the public via the agency's official websites; news and information produced by the Voice of America can be found at www.voanews.com, and news and information produced by the Office of Cuba Broadcasting can be found at www.martinoticias.com. The agency also continued to enhance transparency by proactively releasing information concerning open meetings of the Broadcasting Board of Governors, which were made available to the public over the Internet throughout the year, both by live feed during the meetings and on demand afterward, via the agency's public website at www.bbg.gov. Proactive releases of information regarding the Board's activities also included various supporting documents and records, such as formal Board resolutions, Board committee reports, and other items of potential public interest via the agency's public website.

When processing FOIA requests, FOIA Office personnel reviewed all proposed redactions and documents recommended for full withholding to maximize information made available to the public and increase the agency's openness and transparency. Whenever a full disclosure of a requested record could not be made because of protectable information, the FOIA Office carefully considered whether partial disclosure of the information could be made instead. Finally, before concluding any information should have been withheld from release FOIA Office

personnel applied the “foreseeable harm” standard and worked with agency managers to assess the potential impact on agency operations prior to a final decision on releasability. If requesters were dissatisfied with an initial FOIA determination on their request they were given up to 90 days to submit an administrative appeal to the agency’s Access Appeal Committee, which is comprised of at least three career civil service employees and a non-FOIA Office attorney to provide independent advice, reviews all FOIA appeals for compliance, fairness, openness, and equity, and directs the FOIA Office to carry out specific remedial action when warranted.

Over the past year the FOIA Office explored various opportunities to provide more information in less time and to improve the service it provides to the public. However, despite its best efforts the agency’s FOIA program experienced an increase in backlogged requests from four at the end Fiscal Year 2015 to twelve at the end of Fiscal year 2016. FOIA Office personnel met in early 2017 to examine the causes behind the backlog and identified several internal program elements requiring adjustment to improve response times on open requests, including reducing the time taken to acknowledge incoming FOIA requests and to finalize retrieved requests for release. The agency also increased its focus on processing and releasing responsive records in a purely digital format, which in turn increased the number of requests for records the agency was able to fully satisfy in accordance with the requester’s preferred document format.

To better ensure the agency’s FOIA program was administered in a spirit of cooperation with the public, the FOIA Office worked over the past year to promptly follow up with requesters to clarify requests so agency searches for documents responsive to them would satisfy their original intent. The agency also designated a FOIA Public Liaison to provide the public with an additional resource to assist in securing satisfaction with the service provided regarding their requests. Lastly, the agency enhanced the organization and presentation of its FOIA webpage (<https://www.bbg.gov/foia/>) to improve public access to information about the agency’s FOIA program and contact information for the FOIA Office.