

2018 Chief FOIA Officer Report

Gulf Coast Ecosystem Restoration Council

Frederick Sutter, Deputy Executive Director and Chief FOIA Officer

Section I: Steps Taken to Apply the Presumption of Openness

The following narrative provides an overview of how the Gulf Coast Ecosystem Restoration Council (GCERC) acting to improve its FOIA administration during the 2017 reporting period. Spurred by the *Deepwater Horizon* oil spill, the Resources and Ecosystems Sustainability, Tourist Opportunities, and Revived Economies of the Gulf Coast States Act of 2012, or the RESTORE Act, was signed into law by President Obama on July 6, 2012. The Gulf Coast Ecosystem Restoration Council (GCERC) was created in 2012 and as of fiscal year 2015 was formally established as a new, independent Federal agency with a clear mission to implement a long-term, comprehensive plan for the ecological and economic recovery of the Gulf Coast region. On May 22, 2015 published in the Federal Register (adding part 1850 to 40 CFR chapter VIII) a rule that sets forth the Gulf Coast Ecosystem Restoration Council's (Council) regulations regarding FOIA, Privacy Act (PA), and declassification and public availability of national security information. The rule became effective June 22, 2015.

With a small staff of approximately 19 FTE, the GCERC worked during 2017 to improve its internal communications network, primarily based on Goggle Drives, resulting in enhanced communication between and among the GCERC dispersed staff (which ranges from our Headquarters in New Orleans, LA, to Washington, DC, Florida, Texas, Mississippi, and Louisiana. The Deputy Executive Director serves as the Chief FOIA Officer and the Deputy CFO serves as the Records Management Officer. The 2017 Annual FOIA Report for GCERC estimated 0.02 FTE to process a total of 3 FOIA requests received during the fiscal year. During 2017, GCERC hired a contract attorney to assist in a variety of legal issues, included assistance in training and preparing FOIA responses.

In a "spirit of cooperation," GCERC provides online access to all GCERC final actions to facilitate public awareness of those decisions as well as to reduce the need to seek these documents through FOIA protocols established by the federal government and further articulated through the Council's FOIA Final Rule. The GCERC FOIA Library is found at: [Council FOIA Library](#).

If the a FOIA request is deemed necessary by an interested party, the process for making that request is provided on the website, including the following email account to submit your request: foiarequest@restorethegulf.gov (link sends e-mail). The GCERC provides a contact information on its website for the public to utilize for the status of a FOIA request. A phone number is also provided and any messages to this line are generally returned within 24 hours. The GCERC Records Management Officer and Chief FOIA Officer monitor its online requests to closely monitor information requested under FOIA to identify records that meet the requirement for online posting under Subsection (a)(2) of the FOIA. Alternatively, the requestor can also directly contact the Chief FOIA Officer or Records Management Officer.

GCERC receives a relatively small number of FOIA requests compared to many other federal agencies

(less than 10r year). As such, the majority of requests are processed under 30 business days of receipt.

All documents resulting from final agency action and appropriate supporting documents are posted on the GCERC FOIA Library (see [FOIA Council Library](#)). Examples of material that your agency has proactively disclosed during the past reporting year, including links to the posted material.

- Grants Awarded Under the Spill Impact Component. [Council Awarded Spill Impact Components Grants](#)
- Gulf Coast Ecosystem Restoration Council Comprehensive Plan Update 2016, Restoring the Gulf Coast's Ecosystem and Economy. [2016 Updated Council Comprehensive Plan](#)
- Grants and Interagency Agreements Awarded Under the Council-Selected Restoration Component [Council-Selected Restoration Component Awards](#)
- Annual Performance Plans and Reports [Annual Performance Plans and Reports](#)

The GCERC also provides a mailing list advertised on the Council website through which GCERC announcements are made. The announcements are also archived on the website (see [RESTORE Council Announcements](#)).