



USAID
FROM THE AMERICAN PEOPLE

STATUS REPORT

EXECUTIVE ORDER 13,392 IMPLEMENTATION

JULY 2008

**U.S. AGENCY FOR INTERNATIONAL DEVELOPMENT
STATUS REPORT ON EXECUTIVE ORDER 13,392 IMPLEMENTATION
July 31, 2008**

1. FOIA Improvement Plan area to which this deficient milestone relates.

FOIA Backlog Reduction/Elimination Effort

2. Deficient milestone and the original target date from the FOIA Improvement Plan.

Under its FOIA Improvement Plan, USAID originally intended to eliminate its backlog of pre-FY2005 requests by December 31, 2006. The backlog of FY-2005+ requests was scheduled to be eliminated by December 31, 2007. Neither of these goals has been met because of the lack of planned contractor assistance.

3. Steps taken to correct the deficiency and the dates by which the steps were completed.

A contract for FOIA services was issued on September 26, 2006. Unfortunately, the contractor unexpectedly withdrew from the contract due to facility clearance difficulties.

A second FOIA services contract was issued on September 27, 2007. The first contingent of three contract employees arrived during the period of December 2007 through January 2008. Initiation and training of that staff occurred during January through March 2008.

Even without the availability of supplemental processing assistance during some of the backlog reduction stages, the USAID FOIA Team has been able to reduce portions of its FOIA backlog. Since the implementation of its Improvement Plan, the pre-FY-2005 backlog has been reduced by 92%; that is from 234 requests to 19 requests. The FY 2005 backlog has been reduced 57% from 104 open requests to 45. Of the 270 FOIA requests received in FY2006, 228 (84%) requests have been closed. Of the 251 requests received in FY2007, 157 (63%) requests have been closed. These tabulations are current as of July 31, 2008.

4. Future remedial steps and the dates by which the steps will be completed.

If funding is available, USAID intends to increase the contract's level of effort by the end of FY2009 (September 30, 2009) by two positions. A decision concerning the availability of funds is expected by the end of the third quarter of FY2009 (June 30, 2009).

1. FOIA Improvement Plan area to which this deficient milestone relates.

Improvement of the Agency's FOIA Regulations/Directives

2. Deficient milestone and the original target date from the FOIA Improvement Plan.

The milestone date for the drafting stage (May 19, 2007) was met. The subsequent milestone dates for the clearance and public review stages (June 19, 2007 through July 17, 2007) and publication stages (December 31, 2007) were delayed and have not been completed. The completion of this effort was hampered by the lack of planned contractor assistance and the subsequent need to divert direct-hire resources to the backlog reduction and automated processing efforts.

3. Steps taken to correct the deficiency and the dates by which the steps were completed.

A contract for FOIA services was issued on September 27, 2007. Three contractor FOIA Specialists entered service during the period of December 2007 through January 2008.

The original May 19, 2007 draft revision has been updated to incorporate new statutory and procedural requirements. This was accomplished on July 1, 2008.

4. Future remedial steps and the dates by which the steps will be completed.

Additional contractor FOIA personnel will be secured by the end of FY2009 if funding is available. A decision concerning the availability of funds is expected by the end of the second quarter of FY2009 (February 28, 2009). The addition of these Specialists will allow direct-hire staff to again direct more of its energies to the revision of the FOIA regulations/directives.

The new completion milestone date for the issuance of revised regulations and directives is December 31, 2009.