



Report and Plan of the
Board of Governors
of the Federal Reserve System
to Improve FOIA Operations

June 2006

TABLE OF CONTENTS

A. <u>The Board's FOIA Operations</u>	1
B. <u>Areas selected for review</u>	2
C. <u>Summary of Results of Review</u>	3
D/E. <u>Areas for Improvement: Goals, Planned Activities, and Timetables</u>	
1. Reduce or Eliminate Existing Backlogs; Minimize Future Backlogs.....	3
2. Enhance Communication with Requesters.....	4
3. Enhance Program Transparency.....	4
4. Increase Administrative Efficiency of the Board's FOIA Program.....	5
5. Improve Staff Education and Training	6
6. Improve the Board's FOIA Webpage.....	6
7. Identifying Recurring Issues and Making Further Enhancements.....	7
F. <u>Planned Improvements (by Time Periods for Completion)</u>	
1. Areas Anticipated to be Completed by December 31, 2006.....	7
2. Areas Anticipated to be Completed by December 31, 2007.....	8
3. Areas Anticipated to be Completed by or after December 31, 2008.....	9

**Report and Plan of the
Board of Governors of the Federal Reserve System
Pursuant to Executive Order 13392**

Pursuant to Section 3 of Executive Order 13392, the Board of Governors of the Federal Reserve System (“Board”) submits this Report and Plan to improve its FOIA operations. The Secretary of the Board and Chief FOIA Officer, Jennifer J. Johnson, has directed and participated in a review of the Board’s FOIA operations to determine if these operations are conducted efficiently, effectively, and with a citizen-centered and results-oriented approach. The results of this review, and the Board’s plan to improve its FOIA operations, are set forth below, in accordance with the template provided by the Department of Justice.

A. The Board’s FOIA Operations

The Board has a strong and demonstrated commitment to providing courteous and efficient service to members of the public under the Freedom of Information Act (“FOIA”). Since 1967, the Board has maintained a dedicated Freedom of Information office which is staffed by a manager and five specialists from the Board’s Office of the Secretary and supported by a team of lawyers and paralegals from the Board’s Legal Division. The Secretary also has broad authority to assign other Federal Reserve staff to work on individual FOIA requests and uses this authority to ensure that all requests receive orderly, due, and proper consideration.

The Board has a broad and varied mission, and the types of FOIA requests it receives reflect the Board’s diverse responsibilities.¹ Depending on the substance of a particular request, responsive records may be located in one or more of the Board’s divisions and at one or more of the Federal Reserve Banks. The Board’s centralized FOIA operations ensure consistent treatment of similar records and similar requests.

The Board has specialized FOIA operations to accommodate the variety and complexity of requests. In general, simple requests are processed by FOI office staff only. Complex requests are processed by FOI office staff and legal staff and can involve participation by and consultation with any number of program personnel. A multi-track system assists FOIA staff in designating simple

¹ The Board’s responsibilities include conducting the nation’s monetary policy and regulating and supervising banks and bank holding companies. The most commonly requested records include monetary policy-related reports, bank and bank holding company applications and documents, and statistical information concerning banks and the economy.

and complex requests and assigning appropriate program personnel to the complex requests. Use of the tracking system also has helped to reduce the response time for many of the simple requests.

Over time, the Board has made maximum use of evolutions in information technology. The Board has a FOIA webpage through which members of the public can learn how to request Board records, read FOIA Annual Reports, and access the electronic reading room, which links to a broad array of information concerning the Board. Additionally, the public can use the FOIA webpage to submit FOIA requests, review regulatory proposals, submit comments on those proposals, and view other comments. When requested and feasible, responsive records are provided electronically, on computer disk, and in specified database formats. The Board also uses an automated tracking system to monitor progress on individual requests and facilitate record-keeping. This system generates statistics for the Annual FOIA Report and various other reports.

B. Areas Selected for Review

At the direction of the Chief FOIA Officer, senior staff responsible for FOIA operations and administration undertook a comprehensive review of existing practices for all aspects of the Board's FOIA program. Staff evaluated:

- How FOIA staff interacts with requesters;
- The Board's timeliness in responding to FOIA requests;
- The process of coordinating with program personnel who are familiar with responsive agency records;
- The adequacy of the Board's written communications with requesters;
- The use of information technology to improve administrative efficiency in processing FOIA requests;
- The use of the Board's multi-track system;
- The adequacy of the Board's FOIA webpage, including the nature and scope of affirmative disclosures of information; and
- Staff training on FOIA responsibilities.

C. Summary of Results of Review

In general, the Board's FOIA operations are consistent with the guidelines and directives of the Executive Order. Two aspects of the program are particularly notable:

- Customer service is emphasized in all aspects of the Board's FOIA program. Visitors to our FOI office can review and copy documents, submit a FOIA request, and use a dedicated computer to access the Board's public website. The FOI office's seasoned and knowledgeable staff regularly field inquiries in person, via email, and on the telephone about the Board's FOIA program and the status of particular requests. Members of the public regularly compliment the staff for their courteous and efficient service. In addition, the Board has received positive feedback on the user-friendliness of its FOIA webpage and on the scope of information disclosed on the Board's website.
- The Board devotes significant effort to complying with the statutory time periods for responding to FOIA requests. Simple requests are routinely processed within a few days of receipt. In recent years, the length of backlogs for complex requests has shortened.

Notwithstanding these findings, we identified several respects in which the Board's operations could be enhanced to increase efficiency, transparency, and customer service. As detailed in the following section, the Board will focus on improving: (1) the timeliness of responses to FOIA requesters; (2) the content of communications with requesters; (3) the transparency of the Board's FOIA program and administration; (4) the use of information technology to speed processing; and (5) the amount and type of information available through the Board's FOIA webpage. We also will enhance staff training and take steps to identify, evaluate, and solve recurring issues regarding the processing of requests.

D/E. Areas for Improvement: Goals, Planned Activities, and Timetables

1. Reduce or Eliminate Existing Backlogs; Minimize Future Backlogs

- a. Goal: To reduce or eliminate the Board's existing FOIA backlog and minimize future backlogs.
- b. Planned Activities:
 - i. Evaluate the status of each delayed request, identify the reason for delay, and obtain an estimated time for completion. Ascertain if requesters are interested in modifying their requests.

- ii. Identify any recurring reasons for delays, and develop a strategy for addressing any such issues.
 - c. Time Milestones/Metrics (where appropriate):
 - i. Implement item i by December 31, 2006.
 - ii. Reduce existing backlog (in absolute numbers and as a percentage of total outstanding requests) by December 31, 2007, to the extent feasible.
 - iii. Identify factors contributing to backlogs by December 31, 2006, and develop and implement a strategy for addressing those factors by December 31, 2007.
 - iv. Monitor success of the strategy to avoid future delays, and reevaluate the adequacy of these measures by December 31, 2008.
- 2. Enhance Communication with Requesters
 - a. Goal: To improve requester access to information regarding the Board's processing of requests.
 - b. Planned Activities:
 - i. Provide written acknowledgement of receipt of complex requests. Include a FOIA tracking number and contact information for the FOIA Requester Service Center.
 - ii. Evaluate adding functionality to the Board's FOIA webpage to enable requesters to file status inquiries and provide feedback on the processing of requests.
 - c. Time Milestones/Metrics (where appropriate):
 - i. Implement use of written acknowledgements of all complex requests by September 2006.
 - ii. Complete evaluation of feasibility of adding status inquiry/feedback functionality to the Board's FOIA webpage by December 31, 2006. If such functionality is feasible, implement by December 31, 2007.
- 3. Enhance Program Transparency
 - a. Goals:
 - i. To provide requesters and members of the general public with increased information on how the Board processes requests.
 - ii. To provide requesters with enhanced information on the nature of information withheld and grounds for withholding.

- b. Planned Activities:
 - i. Supplement the Board's FOIA webpage with:
 - guidance on making FOIA requests and suggestions for avoiding delays;
 - a list of the types of information that typically fall within the scope of the various exemptions;
 - ii. Provide additional information in response letters regarding the nature of information being withheld.
 - c. Time Milestones/Metrics (where appropriate):
 - i. Supplement the Board's FOIA webpage by December 31, 2006.
 - ii. Include additional information in response letters by December 31, 2006.
4. Increase Administrative Efficiency of the Board's FOIA Program
- a. Goals:
 - i. Enhance the FOIA processing system to improve monitoring of individual requests and reduce response time.
 - ii. Increase electronic processing and production of documents to assist in reducing processing times.
 - iii. Improve the content of internal communications among all staff involved in processing individual FOIA requests.
 - b. Planned Activities:
 - i. Send reminders of FOIA deadlines to staff via e-mail with follow-up by senior FOIA personnel if necessary.
 - ii. Implement a pilot program for electronic review and redaction of responsive FOIA records.
 - iii. Circulate FOIA assignments electronically.
 - c. Time Milestones/Metrics (where appropriate):
 - i. Reminders and follow-ups will be implemented by September 2006.
 - ii. The pilot program will be implemented by June 2007.
 - iii. Enhancing the FOIA processing system will be implemented by December 31, 2007.
5. Improve Staff Education, Training, and Communication
- a. Goal: To develop and implement a plan to enhance staff's awareness of the Board's FOIA responsibilities, with particular emphasis on the role of program personnel.

- b. Planned Activities:
 - i. Remind all staff of the Board's FOIA responsibilities.
 - ii. Provide training to assist program personnel in processing FOIA requests, including informing program personnel of the availability of FOIA staff to consult on all FOIA-related issues.
 - c. Time Milestones/Metrics (where appropriate):
 - i. Information on the Board's FOIA responsibilities will be posted on the internal website by June 2007.
 - ii. Staff will develop an agency-specific education and training program by June 2007 and implement the program by December 31, 2007.
6. Improve the Board's FOIA Webpage
- a. Goals:
 - i. Enhance the Board's FOIA webpage.
 - ii. Increase public awareness of and access to information disclosed by the Board under section 552(a)(2) of FOIA.
 - iii. Increase the types and amounts of information available on the Board's FOIA webpage.
 - b. Planned Activities:
 - i. Supplement the Board's FOIA webpage with
 - detailed descriptions of the types of documents available in the Board's electronic reading room;
 - a link to the index of pending banking applications;
 - the Board's official record retention schedules.
 - ii. Determine if additional materials are appropriate to include on the Board's FOIA webpage.
 - c. Time Milestones/Metrics (where applicable):
 - i. Supplement the Board's FOIA webpage by December 31, 2006.
 - ii. If appropriate, include additional types or categories of information on the Board's FOIA webpage by December 31, 2007.
7. Identifying Recurring Issues and Making Further Enhancements.
- a. Goals: Document and review all feedback received on the Board's FOIA program or on the processing of particular requests (including comments received by the FOIA Requester Service Center and the Public Liaison) to identify recurring issues and consider making further program enhancements.

- b. Planned Activities:
 - i. Document the feedback received by the FOIA Requester Service Center and the Public Liaison.
 - ii. Periodically evaluate all feedback, determine whether recurring issues are presented, and consider whether refinements to the Board's FOIA program are warranted.
- c. Time Milestones/Metrics (where appropriate):
 - i. By September 2006, a system and procedures will be in place for documenting the feedback received from the public.
 - ii. Senior level staff will review the feedback regularly, beginning in the fourth quarter of 2006, and make recommendations for improvements to the Board's Chief FOIA Officer, as warranted.

F. Planned Improvements (by Time Periods for Completion)

- 1. Areas Anticipated to be Completed by December 31, 2006
 - a. Reduce or Eliminate Existing Backlogs; Minimize Future Backlogs
 - i. Evaluate the status of each delayed request, identify the reason for the delay, and obtain an estimated time for completion. Ascertain if requesters are interested in modifying their requests.
 - ii. Identify any recurring reasons for delays.
 - b. Enhance Communication with Requesters
 - i. By September 2006, provide written acknowledgement of receipt of complex requests. Include a FOIA tracking number and contact information for the FOIA Requester Service Center.
 - ii. Complete evaluation of feasibility of adding functionality to the Board's FOIA webpage to enable requesters to file status inquiries and provide feedback on the processing of requests.
 - c. Enhance Program Transparency
 - i. Supplement the Board's FOIA webpage with:
 - guidance on making FOIA requests and suggestions for avoiding delays;
 - a list of the types of information that typically fall within the scope of the various exemptions.
 - ii. Provide additional information in response letters regarding the nature of information being withheld.
 - d. Increase Administrative Efficiency of the Board's FOIA Program

- i. By September 2006, reinforce internal targets for completing document searches with reminders and follow-up by senior FOIA personnel.
 - e. Improve the Board's FOIA Webpage
 - i. Supplement the Board's FOIA webpage with:
 - detailed descriptions of the types of documents available in the Board's electronic reading room;
 - a link to the index of pending banking applications;
 - the Board's official record retention schedules.
 - f. Identifying Recurring Issues and Making Further Enhancements
 - i. By September 2006, begin documenting the feedback received by the FOIA Requester Service Center and the Public Liaison.
 - ii. Beginning in the fourth quarter of 2006, regularly evaluate all feedback, determine whether recurring issues are presented, and consider whether refinements to the Board's FOIA program are warranted.
2. Areas Anticipated to be Completed by December 31, 2007
- a. Reduce or Eliminate Existing Backlogs; Minimize Future Backlogs
 - i. Reduce existing backlog (in absolute numbers and as a percentage of total outstanding requests), to the extent feasible.
 - ii. Develop and implement a strategy for addressing any recurring reasons for delays.
 - b. Enhance Communication with Requesters
 - i. If feasible, add functionality to the Board's FOIA webpage to enable requesters to file status inquiries and provide feedback on the processing of requests.
 - c. Increase Administrative Efficiency of the Board's FOIA Program
 - i. By June 2007, implement a pilot program for electronic review and redaction of responsive FOIA records.
 - ii. Enhance the FOIA processing system.
 - d. Improve Staff Education, Training, and Communication
 - i. By June 2007, post notice on the internal website reminding staff of FOIA responsibilities.
 - ii. Develop an agency-specific education and training program by June 2007.

iii. Provide training to assist program personnel in processing FOIA requests, including informing program personnel of the availability of FOIA staff to consult on all FOIA-related issues.

e. Improve the Board's FOIA Webpage

i. If appropriate, include additional types or categories of information on the Board's FOIA webpage.

3. Areas Anticipated to be Completed by or after December 31, 2008

a. Reduce or Eliminate Existing Backlogs; Minimize Future Backlogs

i. Reevaluate the adequacy of the strategy for avoiding processing delays.