

**June 1, 2007**

**ATTORNEY GENERAL'S REPORT TO THE PRESIDENT  
PURSUANT TO EXECUTIVE ORDER 13,392, ENTITLED  
"IMPROVING AGENCY DISCLOSURE OF INFORMATION"**

**Introduction**

On December 14, 2005, the President issued Executive Order 13,392 on "Improving Agency Disclosure of Information." In the Order, the President stated that "[t]he effective functioning of our constitutional democracy depends upon the participation in public life of a citizenry that is well informed," and that "the Freedom of Information Act (FOIA) has provided an important means through which the public can obtain information regarding the activities of Federal agencies." Accordingly, the President established the policy that agency FOIA operations shall be "citizen-centered" and be "both results-oriented and produce results." As the President stated, "[a] citizen-centered and results-oriented approach will improve service and performance, thereby strengthening compliance with the FOIA, and will help avoid disputes and related litigation."

In the Executive Order, the President directed the head of each Executive Branch agency to designate a senior official (at the Assistant Secretary level or equivalent) to serve as that agency's Chief FOIA Officer. So as to ensure a citizen-centered approach to responding to FOIA requests, the Order also directed each agency to establish one or more FOIA Requester Service Centers and to designate one or more FOIA Public Liaisons. The Service Centers would "serve as the first place that a FOIA requester can contact to seek information concerning the status of the person's FOIA request and appropriate information about the agency's FOIA response." The Liaisons would "serve as supervisory officials to whom a FOIA requester can raise concerns about the service the FOIA requester has received from the Center." In addition, the Liaisons would "seek to ensure a service-oriented response to FOIA requests and FOIA-related inquiries," and would "assist, as appropriate, in reducing delays, increasing transparency and understanding of the status of requests, and resolving disputes."

In addition, the Executive Order directed each agency to conduct a review of its FOIA operations and, based on this review, to develop and issue a FOIA Improvement Plan (approved by the head of the agency) "to ensure that the agency's administration of the FOIA is in accordance with applicable law and the policies set forth" in the Order. These agency-specific plans, which would "address the agency's implementation of the FOIA during fiscal years 2006 and 2007," were to include "specific activities that the agency will implement to eliminate or reduce the agency's FOIA backlog, including (as applicable) changes that will make the processing of FOIA requests more streamlined and effective, as well as increased reliance on the dissemination of records that can be made available to the public through a website or other means that do not require the public to make a request for the records under the FOIA."

Moreover, each agency's plan also needed to include "concrete milestones, with specific timetables and outcomes to be achieved," by which the agency "shall measure and evaluate the agency's success in the implementation of the plan."

A core element of Executive Order 13,392, in support of its "citizen-centered" and "results-oriented" policies, is the Order's emphasis on transparency and accountability. Under the Order, each agency was required by June 14, 2006, to submit to the Attorney General and the Director of the Office of Management and Budget (OMB), and to post on its website, a report that summarized the results of the agency's review of its FOIA operations and enclosed a copy of the agency's FOIA Improvement Plan. In addition to being able to review each agency's report on its website, anyone interested in reviewing all of the Executive Branch's reports can do so quickly and easily, by going to the Justice Department's website, which has all of the agency reports (as well as a listing of the Chief FOIA Officers for all the agencies).

Moreover, the Executive Order directed each agency to report periodically on the agency's progress in implementing its Improvement Plan. These agency progress reports are to be included as part of the agencies' annual FOIA reports for FY06 and FY07, which under the FOIA are to be submitted to the Department of Justice by February 1, 2007 and 2008, respectively. As with the agency FOIA Improvement Plans, each agency's annual FOIA report is posted on the agency's website, and the Justice Department posts on its website the annual FOIA reports for all of the agencies.

Thus, the public is able to track, for itself, the progress that agencies have made in meeting the goals that they established for improving their FOIA operations. In fact, the Executive Order directed each agency in its FOIA report, and in a separate report to the President's Management Council (PMC), to identify any agency deficiencies in meeting the milestones that the agency had established in its FOIA Improvement Plan. The Order also required the agency to explain "the reasons for the agency's failure to meet the milestone" and to outline "the steps that the agency has already taken, and will be taking, to address the deficiency."

Finally, the Executive Order directed the Attorney General to submit periodic reports to the President regarding the implementation of the Executive Order. The Attorney General submitted the first of these reports to the President on October 16, 2006. That report, which is posted on the Justice Department's website, summarized the initial phase of the Executive Branch's implementation of the Order, with a focus on the reviews and FOIA Improvement Plans that the agencies had developed and issued.

This is the second report of the Attorney General. In accordance with the Executive Order, this report is based on the annual FOIA reports for FY06 that the agencies submitted earlier this year, and it provides "an update on the agencies' implementation of the FOIA and of their plans" for improving their FOIA operations.

This report describes the initial progress that agencies have made in the first months of implementing their FOIA Improvement Plans, as reported in their FY06 Annual Reports.<sup>1</sup> An Overall Assessment is provided in Section I of the report. A more detailed discussion of agency activities is provided in Section II. Section III provides a discussion of the areas where agencies have encountered difficulties in meeting their early milestones or goals, which also includes a discussion of agency reporting to the PMC, under Section 3(c) of the Executive Order. Finally, recommendations are included in Section IV of the report.

In addition, to aid in the review of agencies' progress in implementing the Executive Order, the Department of Justice, in coordination with OMB, has focused on the progress has been made by 25 key agencies (including all 15 Cabinet departments).<sup>2</sup> The progress that each of these agencies has made is outlined in the charts found in Attachment B. For each agency, a color has been assigned to the progress the agency has reported in its Annual FOIA Report. For agencies that reported success in timely achieving the milestones that they established for themselves during the reporting period, the color green was assigned. If the entire goal was reached during this reporting period, a check mark also was assigned. For agencies that reported achieving progress, but not success, in timely meeting a milestone, the color yellow was assigned. For agencies that did not report progress, the color red was assigned.

## **I. Overall Assessment of Agency Activities**

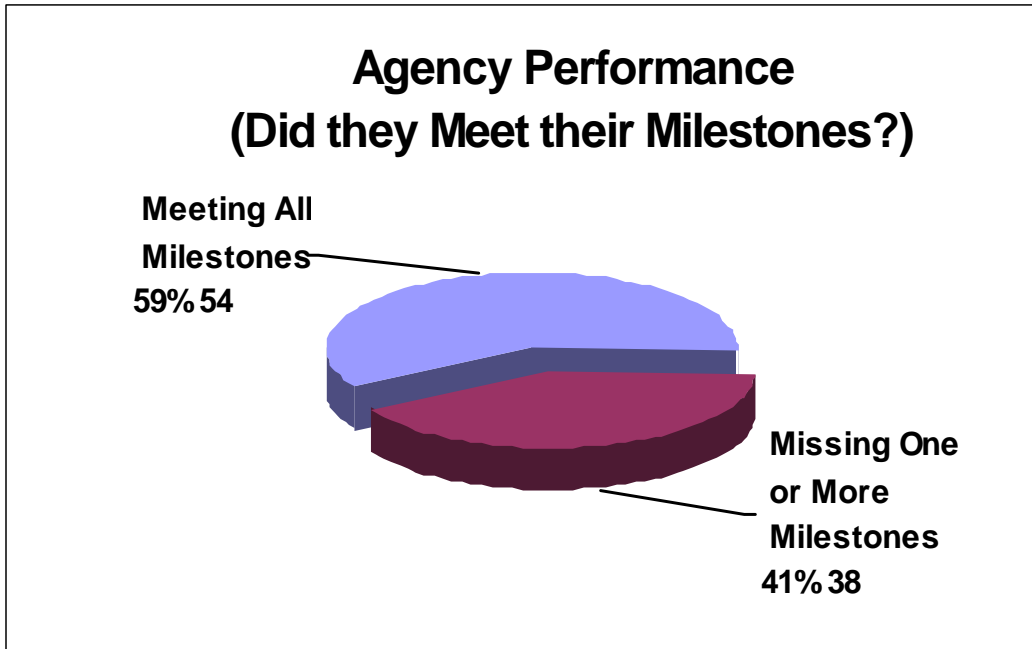
**Agencies Have Made Diligent and Measurable Progress.** Overall, Federal agencies made diligent and measurable progress in implementing the Executive Order during this first reporting period, which represents only a little more than seven months of activity under the FOIA Improvement Plans.

**More Than Half of Agencies Successfully Met All of Their Milestones and Goals On Time.** A full 54 agencies, more than half, reported successes in timely achieving all their milestones and goals for this reporting period.

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<sup>1</sup> Following the submission of FY06 Annual Reports, progress continues to be made as agencies have continued and will continue to implement their FOIA Improvement Plans.

<sup>2</sup> The key agencies are: Department of Agriculture, Department of Commerce, Department of Defense, Department of Education, Department of Energy, Department of Health and Human Services, Department of Homeland Security, Department of Housing and Urban Development, Department of the Interior, Department of Justice, Department of Labor, Department of State, Department of Transportation, Department of the Treasury, Department of Veterans Affairs, U.S. Agency for International Development, Central Intelligence Agency, Environmental Protection Agency, General Services Administration, National Aeronautics and Space Administration, National Science Foundation, Nuclear Regulatory Commission, Office of Personnel Management, Small Business Administration, Social Security Administration.



Moreover, in a number of these cases, agencies did not simply meet but instead exceeded their milestone or goal, either by reaching it ahead of schedule or by exceeding the benchmark for success.

The Department of Housing and Urban Development (HUD) has taken the challenge of backlog reduction seriously (completing one milestone a year ahead of time):

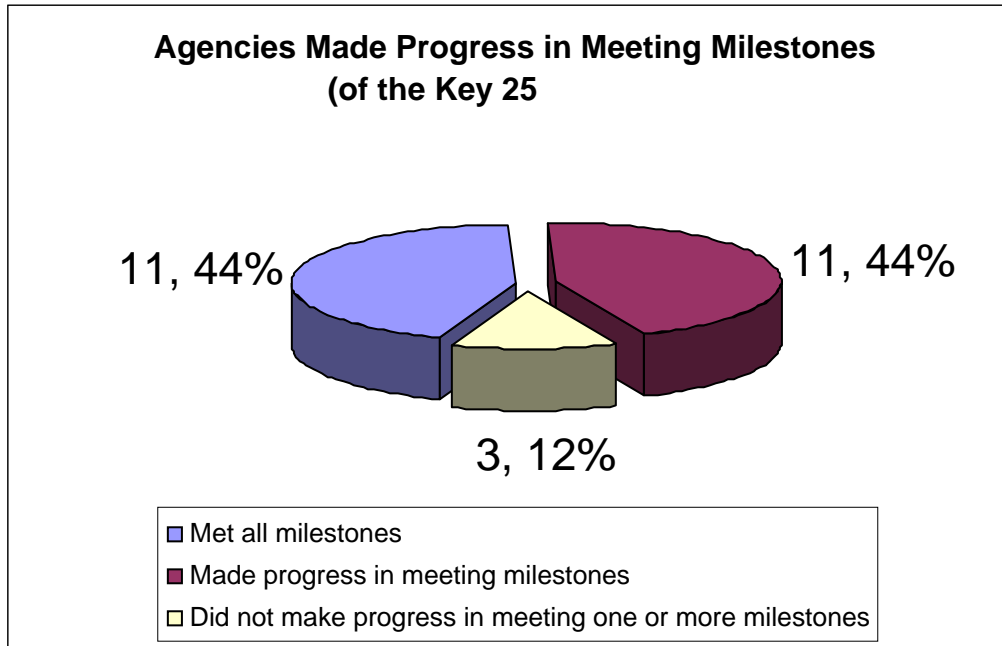
"By First Quarter of 2007, issuance of memorandum from the Deputy Secretary to all HUD Principal Staff regarding overdue FOIA responses."

HUD, 2006  
Executive Order 13,392  
FOIA Improvement Plan

"HUD has met its milestones of completing essential foundation steps for reduction of the FOIA Backlog. . . . A memorandum was also issued by the Deputy Secretary in the first quarter of 2006 to all HUD Principal staff regarding overdue FOIA responses."

HUD, 2006  
Annual FOIA Report

Of the 25 key agencies, 11 reported success in timely achieving all their milestones for this reporting period. A full 22 of the key agencies, nearly 90 percent, reported meaningful progress in FOIA administration. Only three of the key agencies reported one or more milestones for which they failed to achieve progress.



Although 38 of the 92 total agencies reported having failed to meet some of their milestones by the plan's timetable, many still made some progress toward meeting the missed milestone or goal. In fact, in many cases, the agency subsequently met the milestone or goal at a time later than originally planned.

"The OS FRSC did complete the various steps to plan, develop, and implement the capability to accept web-based FOIA requests through the OS FRSC web page. Although the bulk of the work was completed by December 31, 2006, [the milestone goal date] additional coordination was required to coordinate the final modifications to the webpage, which is now operational and was posted January 19, 2007."

Department of Health and Human Services, 2006  
Annual FOIA Report

**Agencies Reported Positive Achievements in FOIA Administration.** The achievements noted below illustrate that the Executive Order is having a positive impact on the administration of the FOIA. Many agencies have already realized meaningful backlog reductions. Agencies have also made significant progress in increasing their proactive disclosures of records and improving their FOIA websites. Moreover, agencies have made great

strides in seeking out technological solutions to improving FOIA administration overall. Lastly, agencies have improved their ability to track the status of FOIA requests and have focused on improving customer service. In all of these areas, positive outcomes have been achieved.

Each agency devised an Improvement Plan that suited its own particular FOIA situation, as is reflected in the range of areas agencies have focused on to improve, as well as the manner in which they have selected to achieve the improvements. Although there undoubtedly were deficiencies in meeting some milestones and goals, agencies were encouraged by both the Department of Justice and OMB to be aggressive in setting their goals. The fact that some agencies, for some improvement areas, were not able to achieve all that they had aimed for is in part a reflection of the fact that agencies set high goals for themselves. As is discussed below, agencies also encountered difficulties, such as a shortage of staff and the need for greater IT assistance which had an impact on their ability to meet their goals.

**Additional Time is Needed to Fully Implement the Executive Order.** Finally, because the Executive Order was written to cover the first two years of the effort to reform the government's FOIA practices, it is in the intermediate phase of implementation. During the next six months, agencies will be working on achieving the goals they set out for the next implementing period as well as satisfying any milestones or goals that were moved into this period. To encourage agencies to continue on the positive path they have taken, and to ensure accountability for taking remedial steps so that any deficiencies are turned into successes, the conclusion of this report proposes a series of recommendations.

## **II. Agency Progress in Meeting Plan Milestones and Goals**

Across the government, agencies have reported meaningful improvements in FOIA administration, spanning a wide range of activity areas. This first reporting period constitutes slightly more than six months of activity under the Executive Order<sup>3</sup> and as such, represents just the beginning of improvement plan activities that will span a two-year time period. As mentioned above, the Department of Justice has created a chart for each of the 25 key agencies. Each chart lists the agency's goals that relate to milestones falling within the reporting period for the FY06 annual FOIA report (i.e., from June 2006 through the report's due date, February 1, 2007). For each improvement area where success was achieved, the milestone is marked in green. As the attached charts demonstrate, although agencies experienced some difficulties in meeting all of their planned milestones, agencies made quite significant progress towards meeting their FOIA Improvement Plan goals.

In the October 16, 2006 report, the Department of Justice highlighted six general categories of improvement areas that were chosen by agencies in their implementation of the

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<sup>3</sup> Annual FOIA reports, which are filed on February 1 of each year, contain a variety of statistical information for the preceding fiscal year. The new Section XII, which addressed Executive Order implementation activities, extended beyond the end of the fiscal year, and included agency progress through the report's due date, February 1, 2007.

Executive Order. During this first period of implementation activity, these six areas continue to stand out as areas in which agencies have made real progress in improving the operation of the FOIA across the government:

*1. Backlog Reduction: Agencies Reduced FOIA Backlogs Despite Increased Requests.*

**Backlog Reduction is the Single Most Significant Improvement Area Addressed by Agencies.** Perhaps the single most significant improvement area addressed by agencies in implementing Executive Order 13,392 is the challenge of eliminating or reducing FOIA backlogs where and when they exist. The agencies that have such backlogs of pending FOIA requests by and large are the biggest ones, especially those agencies that regularly deal with complex records containing especially sensitive types of information.

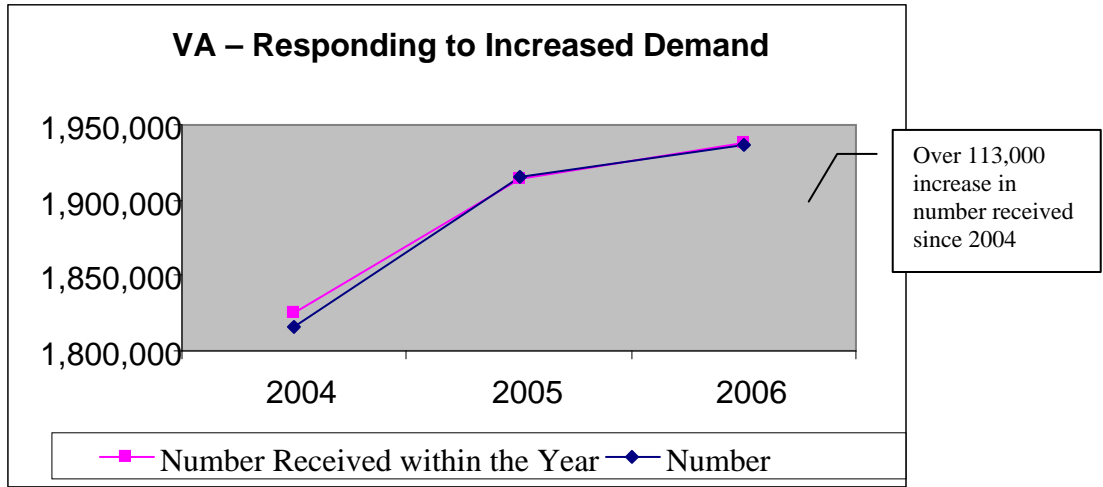
The number of requests pending at the end of each fiscal year (FY) is reported by each agency in its annual FOIA report. Although this statistic is based on figures as of September 30 – and so represents just a little over three months of Executive Order implementation activity – it serves as a critical starting point for evaluating agency progress in this area. The Department analyzed the FY06 annual FOIA reports for all 92 agencies to determine how agencies have fared in terms of the number of requests that were pending as of the end of this fiscal year compared to the last fiscal year.

First, we determined that 32 out of 92 agencies reported an increase in the number of pending requests. Of those 32, half (16) experienced an increase in the number of in-coming requests and so a corresponding increase in the number pending at the end of the fiscal year is not unexpected.

**Agencies with Backlogs and Increases in Incoming Requests Faced Compounding Challenges.** For agencies with backlogs and increases in incoming requests in particular, the challenge of reducing their backlogs was compounded. Moreover, as mentioned above, agencies began implementation of their FOIA Improvement Plans mid-June 2006, and so they had only approximately one quarter of a year to begin work on their backlog reduction goals before having to report at the end of the fiscal year. Nevertheless, for FY06, 41 agencies reported a decrease in the number of requests pending at the end of the fiscal year.

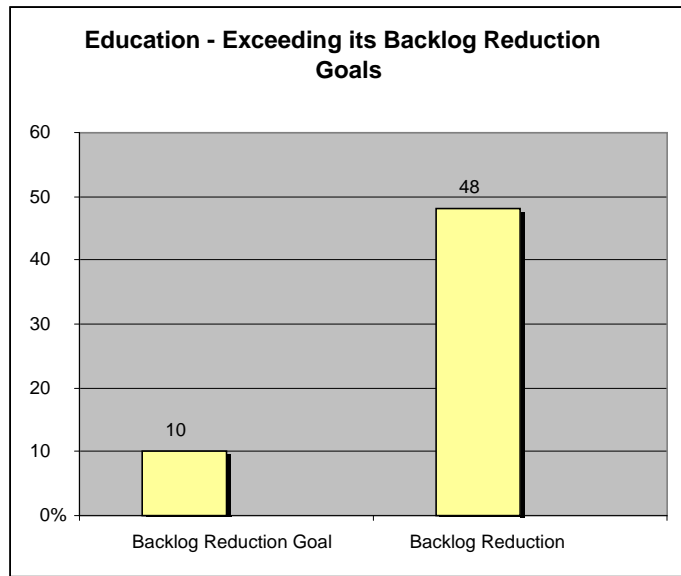
For those agencies experiencing an increase in the number of incoming requests, the increase was quite significant for some agencies. Compared with 2005, in 2006:

- ▶ The Department of Veterans Affairs (VA) received 23,811 more requests,
- ▶ The Department of Agriculture (USDA) received 7,555 more requests, and
- ▶ The Department of Defense (DOD) received 1,387 more requests.



Although there is still much work to be done in this crucial area, the news is encouraging.

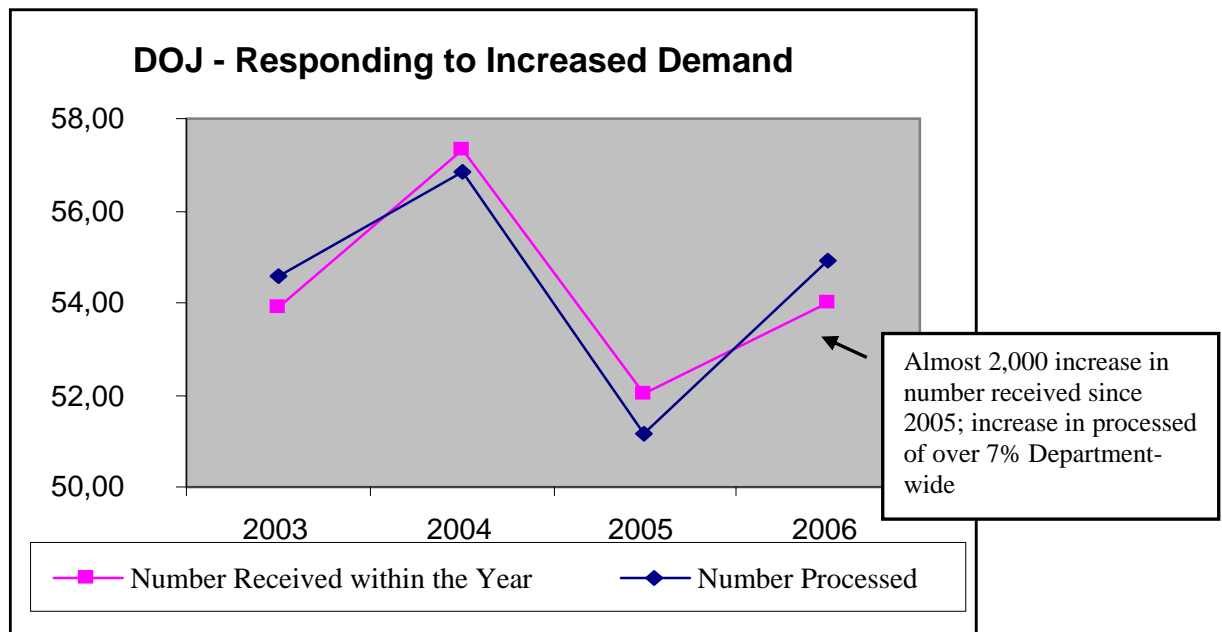
**Agencies Have Continued to Make Progress in Backlog Reduction.** In terms of Executive Order implementation, the first reporting period extended three to four months beyond the end of the fiscal year, and so additional progress has been made on backlog reduction since that time. For example, although the Department of State (State) had an increase in its backlog at the end of FY06, it reported an almost ten percent reduction in its backlog since that time. This is despite the fact that the number of incoming requests at State reached an all-time high in FY06. The Department of Education also significantly exceeded its ten percent backlog reduction goal; reducing its backlog by nearly 50 percent.



The VA likewise realized a 50 percent reduction in the number of backlogged cases during the time period between September and November 2006.



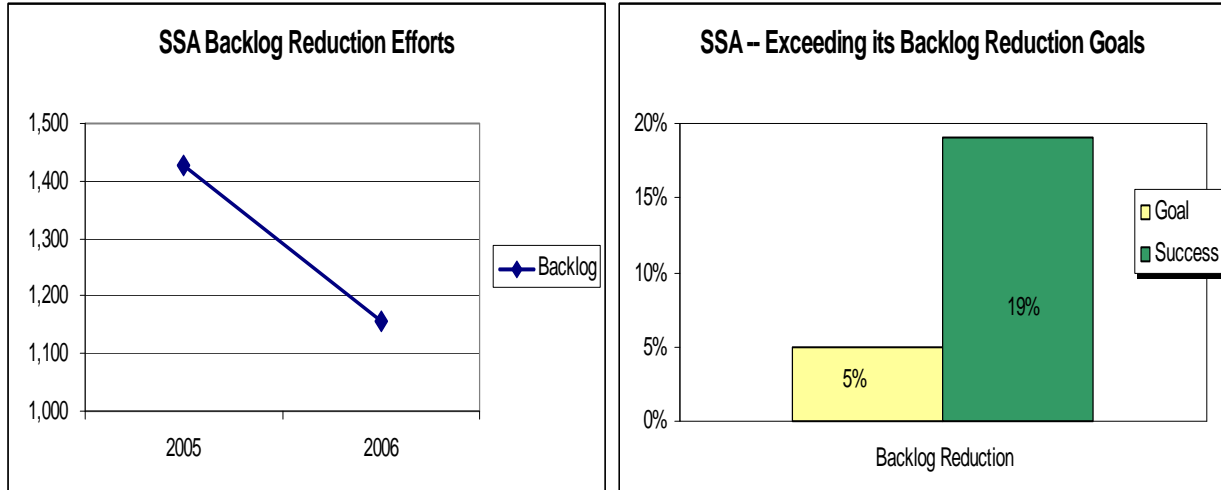
The Department of Justice, which overall had a ten percent decrease in the number of pending requests for the fiscal year – despite receiving almost 2,000 additional requests – had components, such as the Office of Information and Privacy (OIP), that reached and then greatly surpassed their backlog reduction goals for the Executive Order reporting period.<sup>4</sup> The backlog reduction goal set by OIP was to reduce the backlog of pending initial requests by ten percent by January 15, 2007. By the end of the Fiscal Year (September 30, 2006), OIP had decreased its backlog by 13 percent. In the succeeding months, OIP continued to reduce its backlog of initial requests by another nine percent, for a total reduction of 22 percent in the number of pending initial requests. Moreover, as part of this backlog reduction effort, OIP closed its ten oldest pending FOIA cases. OIP also exceeded its parallel backlog reduction goal for adjudicating administrative appeals. The backlog reduction goal set for administrative appeals was a 25 percent reduction in pending appeals. OIP far surpassed that goal and has decreased its backlog of pending appeals by 39 percent, including the ten oldest appeals.



The Environmental Protection Agency (EPA) achieved its FOIA backlog reduction goals a year ahead of the milestone set in its FOIA Improvement Plan and has continued to reduce its backlog to historic lows. The National Aeronautics and Space Administration (NASA) reduced its backlog of pending requests from the triple digits into double digits.

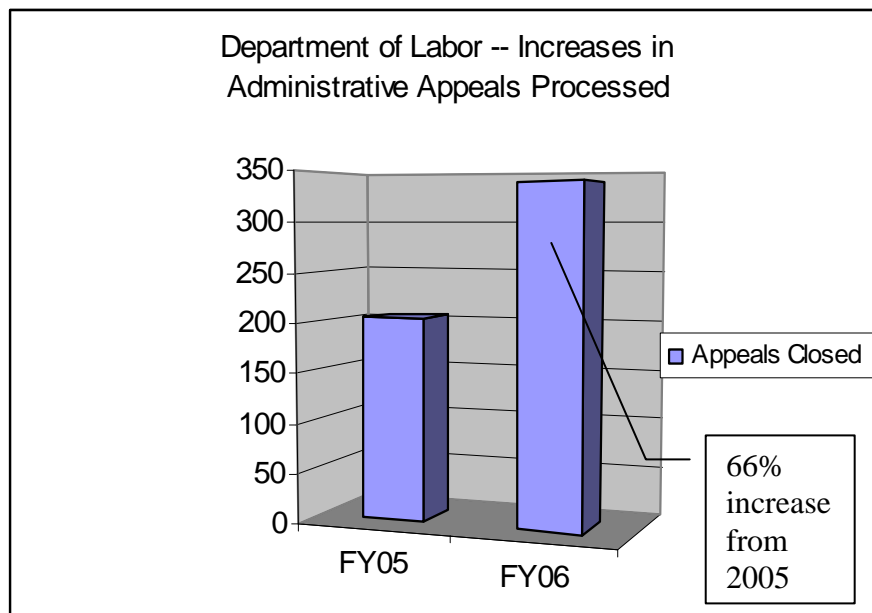
<sup>4</sup> Prior to 2003, DOJ included large components, such as INS, that are now a part of DHS, and therefore numbers prior to 2003 are not included in this chart.

The Social Security Administration (SSA) likewise exceeded its five percent goal of reducing its existing backlog.



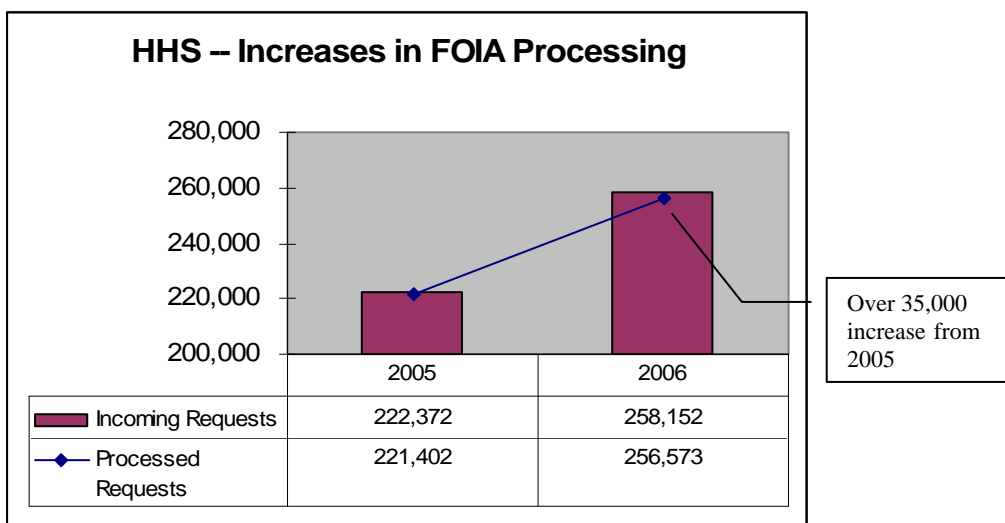
The Internal Revenue Service (IRS), part of the Department of the Treasury (Treasury), exceeded its five percent backlog reduction goal, achieving a decrease of 11 percent.

The Department of Labor likewise exceeded its goal of closing administrative appeals during calendar year 2006, achieving a 66 percent increase in the number of closed appeals.



Several other agencies achieved significant backlog reduction, but at levels which did not necessarily meet the more aggressive goals they had set for themselves. For example, Department of Transportation (DOT) closed 254 FOIA requests that had been pending from previous fiscal years; but was three requests short of meeting its goal.

Remarkably, the Department of Health and Human Services (HHS) closed 35,177 more requests in FY06 than were closed in the preceding fiscal year, and yet because of an increase in incoming requests, its overall backlog did not decrease.



### **Many Agencies Have Made Foundational Steps for Future Backlog Reduction**

**Activities.** Many agencies identified a series of steps to be taken to reduce their backlogs, including foundational steps that were necessary to bring about reductions in the backlog, and those agencies were successful in accomplishing those steps. For example, DOD had three objectives in its overall backlog reduction goal; to determine the level of staffing necessary to reduce backlogs, to fund additional FOIA personnel, and to concentrate on a series of initiatives to reduce its FOIA backlog by ten percent annually beginning in FY08. DOD met its milestones in these areas and so is well on its way to achieving backlog reduction. Many other agencies likewise completed their initial steps toward backlog reduction, including HUD, Department of Energy (DOE), and Department of Homeland Security (DHS).

**Agencies Still Face Challenges in Eliminating Backlogs.** These examples of success are very encouraging. However, one should not underestimate the challenges that some agencies face in eliminating their backlogs. The number of requests agencies receive, and how complex those requests are, are not under the control of agencies, nor are the number of offices that must be searched in order to appropriately respond to a request. All of these factors can determine how long it can take an agency to respond to a request.

*2. Proactive Disclosures: Agencies Anticipating the Needs of Requesters and Increasing the Amount of Government Documents Posted On-line.*

**Agencies Saw Significant Improvement in Proactive Disclosures.** In an effort to reduce the need to file requests, and consistent with the Executive Order's focus on the issue, the area of improving proactive disclosures of information, i.e., making information available to the public on the agency's own initiative, saw significant improvement.

For example, the Central Intelligence Agency (CIA) has eliminated what was previously a two-year lag time in posting documents on its website. Posting of documents is now done in approximately one month's time and the CIA is now current in its posting of documents. The Office of Personnel Management (OPM) has reorganized its website and information on it is more readily accessible. This includes over 5000 files posted during the 2006 calendar year, including information related to pandemic influenza policy for federal agencies. OPM also posted other information of interest to the public, such as budget and human resources documents.

"At the beginning of Fiscal Year 2006 we were approximately two years behind in posting documents on our web site; it now takes us only one month and we have adopted that as our standard."

CIA, 2006  
Annual FOIA Report

**Some Agencies Have Made Foundational Steps for Future Affirmative Disclosure Activities.** Some agencies completed initial steps toward making increased affirmative disclosures of information. For example, the General Services Administration (GSA) completed its milestones of implementing a tracking system and meeting with contract employees, which are part of its plan to improve affirmative and proactive disclosures. Similarly, the Small Business Administration (SBA) completed a review of records and consulted with relevant program offices.

*3. FOIA Websites: Agencies Using the Internet to Inform the Public.*

**Agencies Recognize the Importance of Updating their Websites.** Agencies have now widely recognized the importance of both refining and maintaining their sites on the World Wide Web that they use for purposes of FOIA administration. Seventeen of the 25 key agencies reported improvements in this vital area of FOIA administration.

For example, the National Science Foundation (NSF) reviewed and improved its FOIA Web page, as did, among others, the Nuclear Regulatory Commission (NRC), EPA, SBA, and the CIA. State hosted a focus group with FOIA requesters to help the agency identify areas on its

FOIA website that could be improved. State reported that holding this focus group meeting gave agency personnel important insight into the requester's perspective and that suggestions it received for improving its website were very helpful and are now being reviewed by the agency.

*4. Use of Technology/Automation: Agencies Enhancing FOIA Response Times Using Existing Information Technology.*

**Agencies Have Embraced IT to Improve FOIA Operations.** As noted in the October 2006 report, agencies have widely embraced the subject area of technology and automation as a vital means of improving their FOIA operations. This has consistently been viewed as the improvement area that holds the most promise for agencies in improving both the speed and the quality of their responses to FOIA requests. Half of the 25 key agencies reported significant improvements in employing technology.

For example, DHS met all of its milestones in this improvement area, which included identifying a web-based case management program with electronic tracking capabilities. The NRC completed testing of onscreen redaction software. NASA acquired desktop scanners and procured FOIA redaction software for each of its FOIA Requester Service Centers. DOD assessed FOIA software use and applicability and established a team to conduct a feasibility study to create an agency-wide electronic network. The Department of Education expanded the number of releases that are electronically transmitted.

The U.S. Agency for International Development (USAID) purchased and installed a sophisticated automated FOIA processing program which provides improved tracking capabilities, on-line redacting, and better reporting capabilities. The program also allows requesters to submit and track their requests within the system. The FOIA team's IT hardware also was upgraded to facilitate use of the automated program.

*5. FOIA Request Status Tracking: Enhancing Agencies Accountability to be Responsive to Requesters.*

**Agencies Have Met Milestones in Tracking the Status of Requests.** One of the key features of the Executive Order is its emphasis on the importance of all agencies having the ability to efficiently track the status of FOIA requests, both for increasing efficiency within the agency and in order to be better able to promptly respond to inquiries made by FOIA requesters about the status of their requests. For this first Executive Order reporting period, many of the key agencies met milestones in this area.

For example, the SBA deployed a web-based tracking system for FOIA inquiries, updated its user access list, and made on-line training slides available to all users. OPM replaced an outdated FOIA tracking system with a newer, streamlined system. Likewise, HUD selected a new automated tracking system, replacing an antiquated one. The CIA has improved its ability to track the progress of cases, and case managers can now better coordinate with one another.

DOT has fully implemented an automated FOIA database tracking system for its Pipeline and Hazardous Materials Safety Administration. Its Office of the Secretary is currently pilot testing a new database. GSA now employs an agency-wide tracking system that allows it to track requests through a central database. This, in turn, will allow the agency to review tracking reports. NSF has purchased a scanner and enhanced its electronic processing capabilities, and has also identified and reviewed FOIA logging and tracking systems. It has also received product demonstrations for two FOIA tracking and management systems.

*6. Customer Service: Improving Service to the Public.*

**Agencies Have Reported Strong Progress in Improving Customer Service.** In accordance with the Executive Order's directive that FOIA requesters be treated courteously and with strong customer-service values, agencies reported strong progress in this improvement area.

For example, several Department of Justice components conducted training on this topic, provided specific points of contact to requesters, and improved their correspondence with requesters. The Department of Commerce has established a List Serv to provide better communication among Department FOIA personnel. The Department of the Interior (DOI) has created a FOIA intranet site and a FOIA newsletter for its personnel. State developed a decision tree and checklist to provide a consistent approach to acknowledgment letters. It also established an "e-card" acknowledgment for requests received through its FOIA website.

"USAID was successful in sending acknowledgement letters for simple requests within two days 97% of the time. Many letters (79 %) were sent within one day. This was possible since USAID has an electronic mailbox that requesters can use to submit requests. Allowing requesters to submit their requests electronically provides spontaneity and improved communications."

USAID, 2006  
Annual FOIA Report

DOT developed a "FOIA 101" training course which was well received by participants throughout the Department. DOE and DHS both hosted meetings with requesters to seek their views on how the FOIA program could be improved.

Finally, as noted above, State held a focus group meeting that gave agency personnel important insight into the requester's perspective. The Department reported that the suggestions that were received for improving its website were very helpful and are now being reviewed by the agency.

### **III. Challenges Faced by Agencies in Meeting Certain Plan Milestones and Goals**

The Executive Order required that agency annual FOIA reports specifically identify and explain the reasons for any failure to meet a milestone or goal in the agency's FOIA Improvement Plan. These "deficiencies" were also required to be reported to the PMC. For this initial reporting period, 54 agencies met all of their milestones and goals established in their FOIA Improvement Plans and had no deficiencies.

#### **A. Agency Deficiencies**

Thirty-seven agencies reported deficiencies of some kind. As part of the requirements imposed by the Executive Order, for any failure to meet a plan milestone or goal, the agency is required to explain why it had not met the milestone or goal, and it was also required to outline the steps it has taken or will be taking to address the deficiency. For many agencies, the deficiency was corrected during the reporting period and so has now been cured. For the 25 agencies whose progress is depicted on the attached charts, those deficiencies that have been cured are represented by the color yellow with an up arrow. Other agencies have made some progress in addressing their deficiencies and they are indicated on the chart by the plain color yellow. For any agency that had a deficiency that was not at least partially corrected, the color assigned is red. For the 25 key agencies, there are only three agencies which reported deficiencies for which no remedial action had been taken as of the date of the reporting period.

The explanations for the deficiencies generally fall into five causative categories. Those categories are resource limitations, competing priorities, IT difficulties, milestone reassessment, and complexity problems. Each of these five causative categories is discussed below.

##### *Staffing and Other Unanticipated Limitations*

This was the most commonly cited reason for failure to meet a milestone or goal. These limitations arose in three related areas, staffing issues (47 milestones from 15 agencies), funding problems (nine milestones from two agencies), and facility-related factors (four milestones from two agencies). Only two agencies specifically reported funding difficulties. DOI was unable to meet its goal of developing electronic templates and posting them on the Web, and the National Capital Planning Commission was unable to meet its goal of digitally converting historic documents, both due to constraints arising from operating under a continuing resolution.

Similarly, two agencies encountered facility-related limitations that affected their ability to carry out milestones and goals. DOI was unable to meet its backlog reduction goal because of an office relocation. Flooding in the building caused one component of the Department of Justice to fail to meet its backlog reduction milestone on time, and the delay in construction of a new facility caused another component to fail to meet its goal of centralizing the filing of its records.

Difficulties encountered with staffing was a very common reason given for a deficiency. Indeed, 15 agencies identified this as a causative category. For example, a component of the Department of Justice was unable to meet a backlog reduction goal because five employees left the office. USAID also was unable to meet a backlog reduction goal because the contractor obtained to supplement direct-hire staffing unexpectedly withdrew from the contract.

### *Competing Priorities*

The second most frequently cited cause for a deficiency was the existence of competing priorities. Seventeen agencies reported this as the cause of at least one deficiency. Competing priorities came both from other FOIA responsibilities, or from non-FOIA tasks performed by FOIA personnel. For example, HHS and the National Mediation Board reported that certain milestones were not met due to unforeseen litigation obligations. The American Battle Monuments Commission (ABMC) reported that it was unable to draft and post a new FOIA Reference Guide on its Web on schedule (milestones were subsequently met) because of competing non-FOIA obligations faced by its managing official. As the agency's report explained, these non-FOIA duties included: "responding to public inquiries regarding the war dead honored at ABMC memorial cemeteries worldwide and facilitating public visitation to those sites." Also, Treasury reported that its FOIA staff was reassigned to other duties.

### *IT Difficulties*

Several improvements in FOIA processing were delayed due to IT-related problems or because planned technological improvements were more complicated than anticipated. The improvement areas of automated processing, website development, and tracking capabilities had the majority of deficiencies related to this causative concern. For example, the CIA hoped to deploy an automated declassification system, but software complications delayed the achievement of that goal.

### *Milestone Reassessment*

Some agencies failed to meet certain milestones because the agency re-evaluated the benefit to be derived from what was originally planned. For example, the U.S. Postal Service delayed a training goal because it determined that two presentations rather than one would be more beneficial. Conversely, the National Credit Union Administration (NCUA) determined with respect to its goal of distributing an agency handbook with its acknowledgment letters, the distribution "would not be helpful to requesters, and therefore, would not further the goals of Executive Order 13,392." NCUA further stated that "[s]taff concluded that an actual requester will already have access to this information as evidenced by having submitted a request and providing the Handbook would be wasteful."



### *Complexity Issues*

Agencies identified both task complexity and coordination complexity as a reason for failure to meet certain milestones. For example, the Federal Aviation Administration, within DOT, had planned to close 37 requests pending from previous years, but due to the large volume of documents and the difficulty in duplicating audiotapes, it found the task more complex than anticipated. Similarly, difficulties for DOE in coordinating personnel in its many field offices took more time than anticipated and caused DOE to have a deficiency. Notably, HHS's goal of reducing its current backlog by five percent was delayed. This occurred despite HHS's progress in closing 35,000 more requests than were closed in the previous year. The increase in incoming requests for the fiscal year overtook that progress and so the backlog grew rather than declined.

#### **B. Agency Reporting of Deficiencies to the President's Management Council**

In Section 3(c) of the Executive Order, you directed each agency in its annual FOIA report, and in a separate report to the PMC, to identify any agency deficiencies in meeting the milestones that the agency had established in its FOIA Improvement Plan. The Order also required the agency to explain "the reasons for the agency's failure to meet the milestone" and to outline "the steps that the agency has already taken, and will be taking, to address the deficiency."

In the recent annual reports, 38 agencies reported deficiencies in meeting at least one of their milestones for this first reporting period. The agencies also explained the reasons for the deficiencies and outlined their corrective actions.

**Remedial Steps Taken.** Fourteen agencies took remedial action and were able to complete all of their deficient milestones within the reporting period. Some agencies were able to complete some of their deficient milestones within the reporting period. For example, DOT promptly corrected existing miscommunication and conflicting practices that existed among their components to remedy deficiencies in two of their improvement areas. Thirty agencies identified some measure of remedial action to cure their deficiencies at a later date. For example, the Office of the Director of National Intelligence is hiring personnel to work on specific milestone areas.

**Deficiencies Reported.** Moreover, the agencies reported these deficiencies to the PMC. A few agencies did not make clear the specific steps they planned to take to address their deficient milestones, beyond setting new dates for completion. The Chair of the PMC received a briefing on these deficiencies by staff from the Department of Justice and OMB, and he discussed the most serious deficiencies with the agency representatives for the respective agencies. In addition, one of the recommendations in this report (Recommendation #1, below) is for each agency with deficiencies to submit to the PMC, by August 1, 2007, an updated status report describing the progress that the agency has made in correcting its deficiencies, including any further corrective action that the agency has taken or will be taking.

#### **IV. Recommendations**

The Department of Justice, in coordination with OMB, continues to work with agencies to improve individual agency implementation of Executive Order 13,392 in the furtherance of the principles behind the Order's policy direction. In accordance with the Executive Order, the Department, in its October 2006 report, recommended holding a follow-up meeting of Chief FOIA Officers, streamlining FOIA correspondence, and, significantly, increasing the use of advanced technology and automation to improve agency FOIA operations. These recommendations were offered to aid in the successful implementation of the Executive Order during its first reporting period and were carried out with great success. During this initial reporting period, agencies continued to demonstrate a strengthened commitment to the Executive Order's implementation and to act with commendable responsiveness.

At this point, the agencies are focusing on continuing to successfully implement their FOIA Improvement Plans and ensure that any deficiencies identified in the initial reporting period are appropriately addressed and remedied. The second implementation time period for measuring agency success continues until February 1, 2008. Therefore, the following eight months are integral to Executive Order 13,392's success as agencies must continue to work toward the completion of their milestones which fall within this time period and, at the same time, take appropriate action to address any concerns raised during the initial reporting period. The following recommendations pertain to these concurrent areas of agency responsibility and look forward beyond the end of the Executive Order's implementation period to ensure its policies continue to improve FOIA practice.

**1. Updated Status Report by Agencies That Reported Deficiencies.** By August 1, 2007, each agency that reported a deficiency in meeting one or more milestones in its FOIA Improvement Plan (this includes, for example, those agencies with red or yellow progress in the charts in Attachment B) shall submit to the PMC an updated status report that describes the progress that the agency has made in correcting the deficiency(ies), including any further corrective action that the agency has taken or will be taking. Additional guidance on this reporting item will be forthcoming.

**2. Backlog Reduction Goals for FY08, FY09, and FY10.** By November 1, 2007, each agency that has a backlog of FOIA requests/appeals at the end of FY07 should formally establish, and post on its website, backlog-reduction goals for the agency for FY08, FY09, and FY10. The goals should be expressed in both (1) the numbers of requests/appeals that the agency plans to process during each fiscal year and (2) the number of requests/appeals that the agency estimates will be pending at the end of each fiscal year.

**3. Follow-up Meeting of Chief FOIA Officers.** As consistently noted by the Department, a salient feature of Executive Order 13,392 is the establishment of the new position of "Chief FOIA Officer" within each agency, a person who is primarily responsible and accountable for both FOIA administration and the Executive Order's implementation. After the October 16 report, the Department of Justice and OMB conducted a second meeting for all Chief

FOIA Officers on November 9, 2006. The Department now recommends a third such gathering to communicate and emphasize the importance of agency implementation activities in the coming months.

**4. Continuation of Governmentwide Technology Initiative.** Agencies have continued to embrace the area of advanced technology and automation as a means of improving their FOIA operations. On April 24, 2007, the Department of Justice held its first "Interagency Working Group" to address "Electronic FOIA Processing Issues." At this gathering, agencies shared practices and explored approaches for maximizing the opportunities that technology offers for providing agencies with cost-effective ways to process FOIA requests on a more efficient and timely basis. The Department recommends conducting follow-up meetings to continue to explore these opportunities with the aim of further helping to reduce existing backlogs and improve processing times in general.

**5. Specialized Training.** The issuance of Executive Order 13,392 provided an incentive for agency personnel to take part in governmentwide FOIA training, as well as to conduct their own training sessions. In order to continue this major element of FOIA administration, the Department recommends holding two governmentwide training sessions, in coordination with OMB. The first session would be a follow-up seminar for agencies' FOIA Public Liaisons, who are an integral feature of an agency's successful implementation of Executive Order policy. This seminar will ensure that these supervisory officials continue to understand their many responsibilities in both FOIA administration and Executive Order implementation. Most importantly, the Department will address the FOIA Public Liaison's duty to resolve disputes, with particular emphasis on enhancing their role in resolving any disputes between requesters and the agency.

The second training session will concentrate on FOIA website improvement and will include Web content managers. In addition to meeting the specific obligations of the 1996 FOIA amendments, the Executive Order calls on agencies to further use these sites for broader FOIA administration. The Department recommends holding a governmentwide training session to focus on the required elements of each agency's FOIA website. This session would also be designed to demonstrate how the improvement of an agency's FOIA website can help it successfully reach its milestones in many Executive Order improvement areas, including backlog reduction and customer service.

## V. Conclusion

In sum, the agencies of the Executive Branch continue to implement Executive Order 13,392 in a vigorous manner. Overall, they have made diligent and meaningful progress in meeting the milestones they set for this reporting period. In these first months of implementing their FOIA Improvement Plans, agencies have reported meaningful improvement in the areas of backlog reduction, affirmative and proactive disclosure, and requester services. Additionally, agencies have improved their websites and have embraced the subject area of technology and

automation to improve FOIA administration.

All agencies face challenges in achieving improvements in FOIA administration. The Executive Order was designed to work over a two-year period, and it needs that time to be fully effective. During the next reporting period, agencies will be asked to take a close look at any area where they were not as successful as they planned to be, and to take concrete, transparent steps to address those deficiencies. The recommendations contained in this report are designed both to hold agencies accountable for their progress under the Executive Order, and to provide needed assistance to agencies to help them achieve their goals.

The progress made by agencies to date has been steady and promising, and the administration of the Freedom of Information Act throughout the government has been significantly improved as a result of the Executive Order. That improvement is on track to continue during the next year. The further recommendations in this report are designed to continue these critical efforts beyond 2008 and into the next decade. The Department of Justice looks forward to providing continued leadership and guidance in these efforts, and to submitting another such report to the President by June 1, 2008.

Attachment A

**Background**

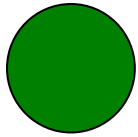
The October 16, 2006 Attorney General report describes in detail the history of the FOIA and the development of Executive Order 13,392. See Attorney General's Report to the President on Executive Order 13,392, available at [http://www.usdoj.gov/oip/04\\_7.html](http://www.usdoj.gov/oip/04_7.html). It also describes the many steps taken by the Department of Justice and OMB to assist agencies in implementing this important Presidential initiative. See id. Notably, since the issuance of the Executive Order, agencies have established FOIA Requester Service Centers and designated FOIA Public Liaisons. They have also conducted comprehensive reviews of their FOIA operations and developed FOIA Improvement Plans which set out specific goals in a wide range of improvement areas with concrete milestones and benchmarks to be achieved. Those plans took effect June 14, 2006.

The Department of Justice and OMB have now held two conferences for agency Chief FOIA Officers and have also conducted a special training conference for FOIA Public Liaisons. The Department of Justice has worked with agencies, both in formal training sessions and in one-on-one conversations, providing guidance on proper Executive Order implementation. Importantly, the Department also provided extensive written guidance to all agencies concerning a wide range of issues connected with the Executive Order's implementation, including instructions for creating the new Section XII of their annual FOIA reports.

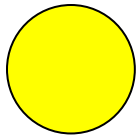
As the lead Executive Order implementation agency, the Department of Justice completed its own 2006 annual report on January 19, 2007, two weeks in advance of the February 1 deadline, and posted it on the Department's FOIA website to serve as a model for all other agencies. Agencies then submitted their annual FOIA reports to the Office of Information and Privacy at the Department of Justice, which worked with each agency to ensure that their reports met the technical requirements of the FOIA and the Executive Order. Once this process was completed, the reports were then posted on the Department's FOIA website for public review. To date, all agencies have submitted their annual FOIA reports to the Department for review.

Attachment B: Progress Charts of Key Agencies

## Legend<sup>1</sup>



For agencies that reported timely achieving their milestones for this reporting period, the color green was assigned.



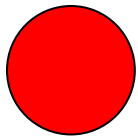
For agencies that reported achieving progress, but not success, in meeting a milestone, the color yellow was assigned.



For some agencies assigned the color yellow, an arrow up also was assigned to indicate that the agency achieved its milestone after the target date.



For some agencies assigned the color yellow, an arrow down also was assigned to indicate that the agency did not provide a sufficient plan to address the failure to meet the milestone.



For agencies that did not report progress, the color red was assigned.

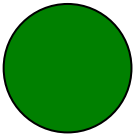
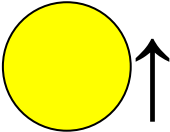





For some agencies assigned the color green or the color yellow with an up-arrow, a check mark was placed in the "Goal Completed" column to indicate that the agency completed the entire goal associated with the milestone. For goals still in progress, the column is blank.

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<sup>1</sup> As mentioned in the body of the report, following the submission of FY06 Annual Reports, progress continues to be made as agencies have continued and will continue to implement their FOIA Improvement Plans.

# SAMPLE DEPARTMENT CHART

	Improvement Area <sup>1</sup>	Progress <sup>2</sup>	Goal Completed <sup>3</sup>
<p><b>FOIA OPERATIONS</b></p> <p><b>Chief FOIA Officer:</b></p> <ul style="list-style-type: none"> <li>• Goal.</li> <li>• Goal.</li> </ul> <p><b>Public Liaison:</b></p> <p><b>FOIA Requester Service Center:</b></p>	<p><u>Improvement Area</u></p> <ul style="list-style-type: none"> <li>• Goal.</li> <li>• Goal.</li> </ul> <p><u>Improvement Area</u></p> <ul style="list-style-type: none"> <li>• Goal.</li> <li>• Goal.</li> </ul>	  	    

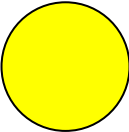
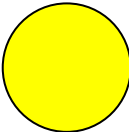
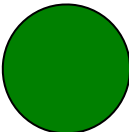
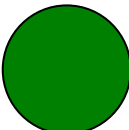

<sup>1</sup> This item is the improvement area as identified in an agency FOIA improvement plan. Each improvement area has one or more goals, which are identified at each bullet point. Each goal has one or more milestones, which are not listed in the chart. Only the improvement areas and goals with milestones falling within this reporting period are listed in the chart.

<sup>2</sup> The color assignment denotes the progress made for each improvement area as reported by an agency.

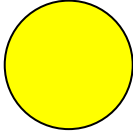
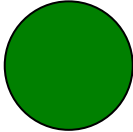

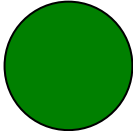

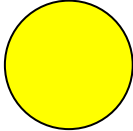
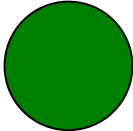

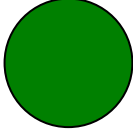

<sup>3</sup> A checkmark was assigned for each completed goal within an improvement area. A checkmark could be assigned to a green goal or yellow goal with an up-arrow.



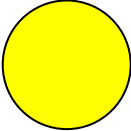
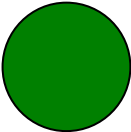
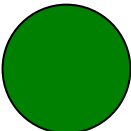

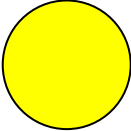
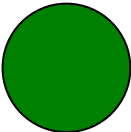

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	Improvement Area	Progress	Goal Completed
<p><b>FOIA OPERATIONS</b></p> <p><b>Chief FOIA Officer:</b></p> <p>Mr. Boyd K. Rutherford</p> <p><b>Public Liaison:</b></p> <p>25 (HQ)</p> <p><b>FOIA Requester Service Center:</b></p> <p>25 (HQ)</p>	<p><b>AGRICULTURAL MARKETING SERVICE (AMS)</b></p> <p><u>Backlog Reduction</u></p> <ul style="list-style-type: none"> <li>To reduce the existing backlog of pending FOIA requests by 10% each year, by focusing on the backlog requests assigned to each program area.</li> </ul> <p><u>FOIA Training</u></p> <ul style="list-style-type: none"> <li>To encourage FOIA staff to take FOIA training yearly.</li> </ul> <p><b>ANIMAL AND PLANT HEALTH INSPECTION SERVICE (APHIS)</b></p> <p><u>Proactive Disclosure of Information</u></p> <ul style="list-style-type: none"> <li>APHIS FOIA continues to determine and appropriate make available frequently requested records. However, it is our goal to be proactive vs. reactive in making such documents available. For example, we have a pending lawsuit as a result of not making Animal Care Annual Reports available in a timely fashion. Currently, we have already reviewed and posted the vast majority of the 2005 (CY) reports.</li> </ul> <p><u>Automated Tracking Capabilities</u></p> <ul style="list-style-type: none"> <li>Purchase and implement the use of an automated tracking system.</li> </ul> <p><u>Backlog reduction/elimination</u></p> <ul style="list-style-type: none"> <li>Employ detailees from periods of 60 – 120 days to assist in case processing and, thus backlog reduction. Also, detailees</li> </ul>	<p style="text-align: center;"></p> <p style="text-align: center;"></p> <p style="text-align: center;"></p> <p style="text-align: center;"></p>	<p style="text-align: center;"></p>

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<p>will perform clerical duties, which will allow the specialists more time to analyze documents. The APHIS Administrator has placed great emphasis on the FOIA backlog reduction. FOIA backlog reduction is one of the 20 FY06 APHIS Operating Plan Initiatives. As part of the FOIA backlog reduction initiative, APHIS FOIA is expected to close the amount of FOIA requests received plus an additional 20%. APHIS FOIA averages a receipt of approximately 1,000 request per year, thus, in theory if the goal is met every year for the next five years, the backlog will be depleted.</p>		
<p><u>Records search process (cooperation from agency personnel)</u></p> <ul style="list-style-type: none"> <li>Initiate FOIA awareness-level training for all agency staff, to include FOIA mandated timelines and scope of requests.</li> </ul>		
<p><b>ASSISTANT SECRETARY FOR CIVIL RIGHTS (ASCR)</b></p>		
<p><u>Improvement of Agency's FOIA Reference Guide</u></p> <ul style="list-style-type: none"> <li>ASCR will review the contents of the FOIA Reference Guide posted on the website to ensure that the information is current</li> </ul>		
<p><u>Electronic FOIA – Automated Tracking and Processing</u></p> <ul style="list-style-type: none"> <li>ASCR will research the available electronic FOIA tracking systems and redaction tools.</li> </ul>		
<p><u>Overall FOIA Website Improvement</u></p> <ul style="list-style-type: none"> <li>ASCR will review the contents of the FOIA website and make changes as necessary.</li> </ul>		
<p><u>Increased Staffing</u></p> <ul style="list-style-type: none"> <li>ASCR will provide assistance to FOIA Specialist for clerical</li> </ul>		

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<p>duties and redaction assistance when available.</p>		
<p><u>Purchase of New Equipment</u></p> <ul style="list-style-type: none"> <li>ASCR will look into the feasibility of acquiring a scanner or color copier to assist the FOIA specialist in the redaction process.</li> </ul>		
<p><b>DEPARTMENTAL ADMINISTRATION (DA)</b></p>		
<p><u>Backlog Reduction</u></p> <ul style="list-style-type: none"> <li>The actual backlog (number of actual backlog requests) will be reduced by 20% by June 1, 2007, and by 40% by June 1, 2008. (Actual backlog requests existing on those dates.) In addition, no request will be greater than 3 months old by June 1, 2008</li> </ul>		
<p><u>FOIA Website Improvement</u></p> <ul style="list-style-type: none"> <li>DA will develop a new FOIA website, which will include FOIA submission, Reading Rooms, and contact information.</li> </ul>		
<p><u>Improvement of agency's FOIA Guide</u></p> <ul style="list-style-type: none"> <li>DA will develop a DA FOIA Instruction/Manual to implement the USDA Departmental Regulation, and will make it part of the standard operating procedures to include a reference to the online Guide in all acknowledged letters.</li> </ul>		
<p><u>Acknowledgment Letters</u></p> <ul style="list-style-type: none"> <li>DA will increase communication with requesters, using follow-up letters, emails, or telephone calls, to keep the requester better informed. Communication with DA FOIA requestors (acknowledgement, follow-up, and Final letters, emails, and</li> </ul>		

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telephone calls, will all contain reference to the various means of communication available to all requestors.

## **FARM SERVICE AGENCY (FSA)**

### Training of FOIA staff and program staff

- Training of FOIA staff will help eliminate the inconsistency in processing requests that are made to several CO or other STO offices for similar information.

### FOIA Website Improvement

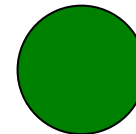
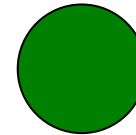
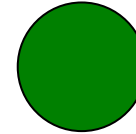
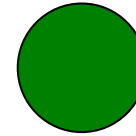
- National FOIA Office will work with FSA's Webmaster to improve existing FOIA website, which will include FOIA's link to FSA's System of Records, additional affirmative disclosures under subsection (a)(2), and contact information. Because FSA has changed servers and server applications, the FOIA website needs updating and improvement for the public.

### Improvement of the Agency's FOIA Guide

- FSA will review and amend the FSA FOIA Guide/Manual, 2-INFO, to include USDA Departmental Regulation, and provide guidance in processing Agency records due to new requirements mandated by court determinations and OGC recommendations following their review of Agency administrative appeal.

### Development of automated tracking capabilities

- The main National FOIA Office and KCAO FOIA Office both log onto database programs (ACCESS) to track FOIA requests. Some STOs and COs do not have electronic tracking and only track requests on paper. FSA does not have a computerized redacting program. Because the FSA FOIA



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program is decentralized, it takes about three months to obtain the data required for the annual FOIA report. The data are collected from the COs and forwarded to the STO FOIA Offices for submission to the National Office. It is challenging to get the necessary information from COs for such reasons previously cited. Without a central FOIA tracking system, it is extremely difficult to obtain Agency-wide statistical data in a timely manner. FSA needs to implement an Agency-wide database or, at the very least, a centralized database for use by STOs KCAO and the National FOIA Offices to track all requests, handle public inquires regarding status of their requests and prepare a more accurate annual FOIA report.

## **FOOD AND NUTRITION SERVICE (FNS)**

### Backlog reduction

- The actual backlog will be reduced by 90% by December 31, 2007, and by 95% by July 1, 2008.

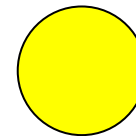
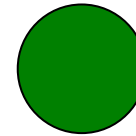
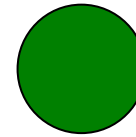
### FOIA Website Improvement

- FNS will update the FOIA website, which will include FOIA submission, Reading Rooms, and contact information.

## **FOOD SAFETY AND INSPECTION SERVICE (FSIS)**

### Improvement of Agency's FOIA Reference Guide

- FSIS will revise the FOIA Directive to align it with EO 13392. The Directive will outline the role and responsibility of the ECIMS Director/Public Liaison Officer, Deputy Director, and FOIA staff and be posted on the Agency's Web site along with other FOIA reference guides.



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<p><u>Automated Tracking Capabilities</u></p> <ul style="list-style-type: none"><li>To enhance FSIS' existing automated system (E-FOIA) to produce various staff reports to improve case tracking; to assist with Agency's submission of the Annual FOIA Report; and generate meaningful reports in compliance with Agency FOIA program requirements.</li></ul> <p><u>Backlog Reduction/Elimination</u></p> <ul style="list-style-type: none"><li>To reduce/eliminate FSIS' current backlog of 147 cases on a monthly basis by 10 cases and quarterly by 15 cases.</li></ul> <p><u>Recycling of Improvement Information Gleaned from FOIA Requester Service Centers</u></p> <ul style="list-style-type: none"><li>FSIS will provide a customer-feedback feature on its Web site.</li></ul> <p><b>FOREIGN AGRICULTURAL SERVICE (FAS)</b></p> <p><u>Proactive disclosure of information</u></p> <ul style="list-style-type: none"><li>Encourage FAS program areas to increase the amount of information available electronically via the FAS Website.</li></ul> <p><u>Forms of communications with requesters</u></p> <ul style="list-style-type: none"><li>Encourage FAS program areas to increase communication with FOIA requesters about their requests.</li></ul> <p><u>Process by which necessary cooperation is obtained from agency personnel</u></p> <ul style="list-style-type: none"><li>Reinforce employees' understanding of FOIA legal</li></ul>	<p>●</p> <p>●</p> <p>● ↑</p> <p>●</p> <p>●</p> <p>●</p>	<p>✓</p>
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# DEPARTMENT OF AGRICULTURE

requirements to ensure continued compliance.

## FOREST SERVICE

Establish criteria to identify types of records that should be posted on the web

- Develop and disseminate criteria to agency personnel.

Revise its FOIA Reference Guide currently found on the web

- Review, make revisions, and post updated Reference Guide.

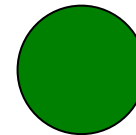
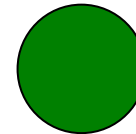
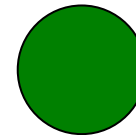
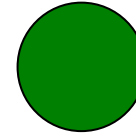
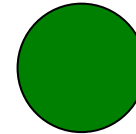
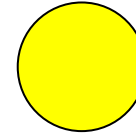
Procure a new electronic tracking/redacting system with enhanced features

- Secure funds, install/configure system, and train staff at HQ and regional offices.

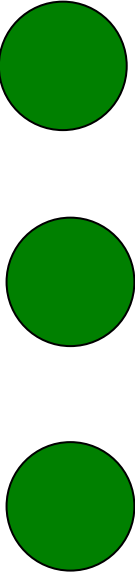
Develop and use prompt responses to notify requesters of receipt of request, of issues related to unperfected request, or date appeal was sent to OGC for review

Develop and use prompt responses to notify requesters of determinations on requests for expedited review

Reduce or eliminate the backlog

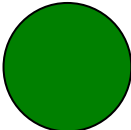
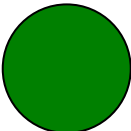
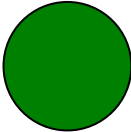
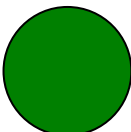
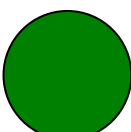





# DEPARTMENT OF AGRICULTURE

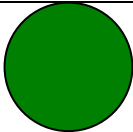

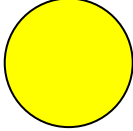

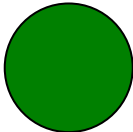

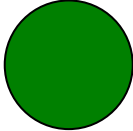

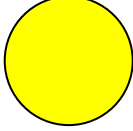
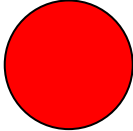
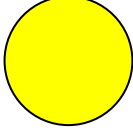
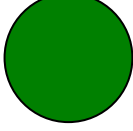

	<p><u>Improve FOIA Website</u></p> <ul style="list-style-type: none"><li>• Review HQ and regional offices' websites and update as required.</li></ul> <p><u>On a case-by-case basis, identify and share common problems and the solutions to those problems</u></p> <ul style="list-style-type: none"><li>• Set agenda item and set aside time at FOIA Coordinators conference to discuss problem areas, etc.</li></ul> <p><u>Provide training needed (formal and/or on-the-job)</u></p> <ul style="list-style-type: none"><li>• Provide training for FOIA coordinators and record sessions.</li></ul>		
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# DEPARTMENT OF AGRICULTURE

Improvement Area	Progress	Goal Completed
<p><b>GRAIN INSPECTION, PACKERS AND STOCKYARDS ADMINISTRATION (GIPSA)</b></p> <p><u>Improvement of Agency's FOIA Reference Guide and Directive</u></p> <ul style="list-style-type: none"> <li>• Provide current and up to date information regarding GIPSA's FOIA program on the GIPSA website and Agency directive due to the Agency reorganization.</li> </ul> <p><u>Proactive Disclosure of Information</u></p> <ul style="list-style-type: none"> <li>• Consider posting additional records to GIPSA's website, such as P&amp;SP registrant lists and other frequently requested records.</li> </ul> <p><b>NATIONAL RESOURCES CONSERVATION SERVICE (NRCS)</b></p> <p><u>Affirmative disclosure under subsection (a)(2)</u></p> <ul style="list-style-type: none"> <li>• Disclosure is already on website but would like to provide monthly updates.</li> </ul> <p><u>Proactive disclosure of information</u></p> <ul style="list-style-type: none"> <li>• Make public information readily available.</li> </ul> <p><u>Overall FOIA website improvement</u></p> <ul style="list-style-type: none"> <li>• Monthly monitoring that the information provided on website is current.</li> </ul>	        	    

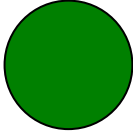
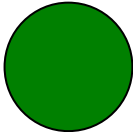
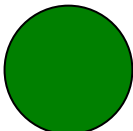
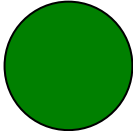
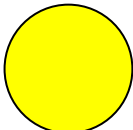
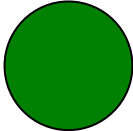
# DEPARTMENT OF AGRICULTURE

<p><u>Improvement of agency's FOIA reference guide</u></p> <ul style="list-style-type: none"> <li>• Provide updates as necessary and yearly monitoring.</li> </ul>		
<p><u>Automated tracking capabilities</u></p> <ul style="list-style-type: none"> <li>• Develop uniform national and state office tracking system.</li> </ul>		
<p><u>Electronic FOIA—automated processing</u></p> <ul style="list-style-type: none"> <li>• Research agency need and budget allocations to determine if automated processing is feasible at this time.</li> </ul>		
<p><u>Multi-track processing</u></p> <ul style="list-style-type: none"> <li>• To develop and implement once need has been assessed by state and national offices.</li> </ul>		
<p><u>Troubleshooting of any existing problems (even minor ones) with existing request tracking</u></p> <ul style="list-style-type: none"> <li>• Coordinating with state and field offices to develop a uniform process to manage problems with request tracking.</li> </ul>		
<p><u>Expedited processing</u></p> <ul style="list-style-type: none"> <li>• Develop uniform national and state office tracking system.</li> </ul>		
<p><u>Backlog/reduction elimination</u></p> <ul style="list-style-type: none"> <li>• To reduce backlog or eliminate it though state and field office training and coordination/training to program personnel.</li> </ul>		
<p><u>Forms of communication with requesters</u></p> <ul style="list-style-type: none"> <li>• Continue providing excellent communication via email, fax, and</li> </ul>		

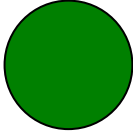
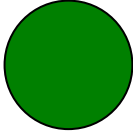
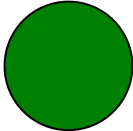



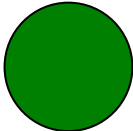
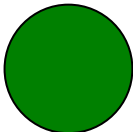


# DEPARTMENT OF AGRICULTURE

	<p>letters, and telephone calls.</p> <p><u>Process by which necessary cooperation is obtained from agency "program personnel"</u></p> <ul style="list-style-type: none"> <li>To make program personnel aware of the time limits under FOIA and stress document search importance.</li> </ul> <p><u>Additional training needed</u></p> <ul style="list-style-type: none"> <li>To provide training to all regional FOIA officers and program personnel.</li> </ul> <p><u>Contracting out/hiring of contract employees</u></p> <ul style="list-style-type: none"> <li>To assist with overload at national level and provide assistance to state FOIA personnel.</li> </ul> <p><u>Recycling of improvement information gleaned from FOIA Requester Service Centers</u></p> <ul style="list-style-type: none"> <li>To assess how agency is providing FOIA services.</li> </ul> <p><b>OFFICE OF BUDGET AND PROGRAM ANALYSIS (OBPA)</b></p> <p><u>Electronic FOIA-Automated processing</u></p> <ul style="list-style-type: none"> <li>To set up an electronic tracking document that can be reviewed at any time by the FOIA Service Center and the Public Liaison.</li> </ul> <p><u>Politeness/Courtesy</u></p> <ul style="list-style-type: none"> <li>OBPA's goal is to have our FOIA office be thought of as efficient, helpful and friendly by all requesters.</li> </ul>	<p style="text-align: center;">●</p> <p style="text-align: center;">●</p> <p style="text-align: center;">●</p> <p style="text-align: center;">●</p> <p style="text-align: center;">●</p> <p style="text-align: center;">●</p> <p style="text-align: center;">●</p>	<p style="text-align: center;">✓</p> <p style="text-align: center;">✓</p> <p style="text-align: center;">✓</p>
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# DEPARTMENT OF AGRICULTURE

<p><b>OFFICE OF THE CHIEF INFORMATION OFFICERS (OCIO)</b></p> <p><u>Automated request tracking and monitoring capabilities</u></p> <ul style="list-style-type: none"><li>• Work with OCE to utilize their ECCM software to pilot and administer automated request tracking and monitoring capabilities.</li></ul> <p><b>OFFICE OF THE INSPECTOR GENERAL</b></p> <p><u>Backlog reduction</u></p> <ul style="list-style-type: none"><li>• Have a manageable backlog, with a goal of its elimination.</li></ul> <p><b>OFFICE OF THE SECRETARY (OSEC)</b></p> <p><u>Electronic Tracking System</u></p> <ul style="list-style-type: none"><li>• Purchase new equipment that includes an electronic tracking system and electronic redaction capabilities to improve response time in responding to FOIA requests and preparing the annual report.</li></ul> <p><u>Revise USDA FOIA Regulations</u></p> <ul style="list-style-type: none"><li>• OSEC will revise the USDA FOIA regulations.</li></ul> <p><u>Receive Electronic FOIA Requests</u></p> <ul style="list-style-type: none"><li>• Develop an electronic FOIA format to facilitate the public's ability to submit electronic FOIA requests to USDA.</li></ul> <p><u>FOIA Website Improvement</u></p> <ul style="list-style-type: none"><li>• OSEC will update the USDA FOIA website to link to the other agency FOIA websites.</li></ul>	     	
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# DEPARTMENT OF AGRICULTURE

<p><b>RESEARCH, EDUCATION, AND ECONOMICS (REE)</b></p> <p><u>Overall FOIA web site improvement</u></p> <ul style="list-style-type: none"><li>To improve REE's FOIA web site in order to provide more information to the public and to make it more user friendly.</li></ul> <p><u>Customer relations/communications</u></p> <ul style="list-style-type: none"><li>To improve customer relations and communications.</li></ul> <p><u>Recycling of improvement information gleaned from FOIA Requester Service Center</u></p> <ul style="list-style-type: none"><li>Establish a formal process to document and make use of requester-provided information regarding improvements to our FOIA process.</li></ul>	  	  
<p><b>RISK MANAGEMENT AGENCY (RMA)</b></p> <p><u>Proactive disclosure of information</u></p> <ul style="list-style-type: none"><li>Establish a link from the RMA Reading Room on the Internet site to the Summary of Business that give aggregate data on producers, crops, insurance policies, and other information commonly requested under FOIA. The number of requests for producer and crop insurance related requests will decrease.</li></ul> <p><u>Forms of communication for the requester</u></p> <ul style="list-style-type: none"><li>RMA FOIA Officer will inform all FOIA requesters that they can contact the FOIA Officer through several communication procedures: postal mail, couriers (e.g., FEDEX, UPS, etc), telephone, facsimile, email, and through the website. The forms of communication for requesting information will be</li></ul>	 	 

# DEPARTMENT OF AGRICULTURE

posted on the website. Requests will be received in a variety of forms most conducive to the requester's needs.

## Automated tracking capabilities

- RMA will enhance its existing automated tracking system; parts will be accessible to RMA Staff Office Personnel.

## Politeness/courtesy

- Inculcate courteous service throughout the FOIA process. No complaints pertaining to poor or discourteous service to the USDA FOIA Officer and/or the Agency Public Liaison should be received.

## Electronic FOIA – receiving/responding to requests electronically

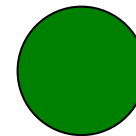
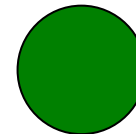
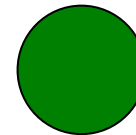
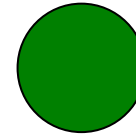
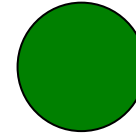
- RMA will establish a request template on the website to accept e-mail requests. RMA will emphasize to requesters that electronic communications is the most efficient and fastest means for processing their requests. The number and percentage of e-FOIA transactions should increase yearly and allow requesters to make better choices on how they want to respond.

## Acknowledgment letters

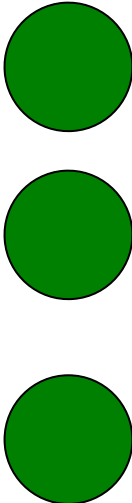

- To ensure that acknowledgment letters and interim responses are timely and provide any clarification that is needed.

## Improvement of agency's FOIA guide

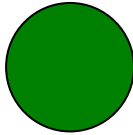
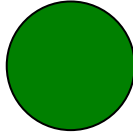

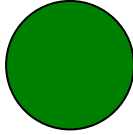
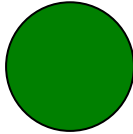


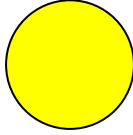
- RMA will develop a RMA FOIA Guide to implement the USDA Departmental Regulation, and will make it part of the standard operating procedures.



# DEPARTMENT OF AGRICULTURE

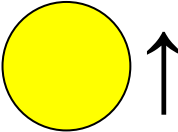

	<p><b>RURAL DEVELOPMENT</b></p> <p><u>Politeness/courtesy</u></p> <ul style="list-style-type: none"><li>• Maintain a minimum number of complaints from requesters.</li></ul> <p><u>Form of communication with requesters</u></p> <ul style="list-style-type: none"><li>• Establish a FOIA e-mail box for enhanced communication with FOIA Coordinators.</li></ul> <p><u>Additional training needed (formal and/or on-the-job)</u></p> <ul style="list-style-type: none"><li>• Complete the FOIA training presentation and have it loaded into the agency's website when approved. Continue to hold teleconferences.</li></ul>	 Three green circles are arranged vertically in the center of the column. Each circle is solid green and has a thin black outline.	 A black checkmark is positioned in the center of the column.
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# DEPARTMENT OF COMMERCE

	Improvement Area	Progress	Goal Completed
<p><b>FOIA OPERATIONS</b></p> <p><b>Chief FOIA Officer:</b> Mr. Otto J. Wolff</p> <p><b>Public Liaison:</b> 15</p> <p><b>FOIA Requester Service Center:</b> 15</p>	<p><u>Additional Training</u></p> <ul style="list-style-type: none"> <li>Increase awareness of FOIA processing procedures and statutory requirements through web training. Goal completion date: 2007.</li> </ul>		
	<p><u>Improvement of FOIA Reference Guide</u></p> <ul style="list-style-type: none"> <li>Enhance assistance provided to potential FOIA requesters by improving the online reference guide.</li> </ul>		
	<p><u>Contracting Out/Hiring Contact Employees</u></p> <ul style="list-style-type: none"> <li>Determine suitability of contractors to facilitate FOIA processing.</li> </ul>		
	<p><u>Customer Relations/Communications</u></p> <ul style="list-style-type: none"> <li>Enhance customer satisfaction by adopting use of acknowledgment letters.</li> <li>Enhance communication among FOIA personnel by establishing a List Serv.</li> </ul>		 
	<p><u>Backlog Reduction</u></p> <ul style="list-style-type: none"> <li>Close 10 oldest FOIA requests pending each year, per bureau for FY 07 and FY 08.</li> <li>Decrease existing backlog of pending FOIA requests by a % each year.</li> </ul>		



# DEPARTMENT OF DEFENSE

	Improvement Area	Progress	Goal Completed
<p><b>FOIA OPERATIONS</b></p> <p><b>Chief FOIA Officer:</b> Mr. Michael Donley</p> <p><b>Public Liaison:</b> 17</p> <p><b>FOIA Requester Service Center:</b> 17</p>	<p><u>Organizational Structure and Manning</u></p> <ul style="list-style-type: none"> <li>Optimal organizational placement of FOIA Offices - Provide guidance to DoD Components on the optimal organizational placement of FOIA Offices. The survey revealed that DoD FOIA Offices are placed within a variety of different organizational elements. In some instances, FOIA Offices are within a functional organization like IT systems and services that are unrelated to the FOIA mission. This occurs at all levels of DoD. The goal is to determine where the FOIA Offices are currently placed and to establish consistent standards within the Department to maximize the effectiveness of all FOIA Offices. The intent is to raise the visibility and level of importance of the FOIA Office to more effectively garner senior leader support.</li> <li>Standardized job series and GS levels for FOIA personnel - The review revealed a multitude of job series for DoD FOIA personnel that may be affecting their job advancement opportunities and professional training and development. Additionally, the review suggests that there are DoD civilian personnel performing critical FOIA functions at improperly low grade levels. One objective is to establish a standard job series for FOIA personnel within DoD and work towards the establishment of an Office of Personnel Management (OPM) career field for FOIA personnel across all Federal Agencies. Another objective is to standardize grade levels of DoD FOIA personnel. To support these goals, a standardization of position descriptions within DoD is warranted.</li> <li>Establish standards within DoD for contracting FOIA functions - The review has shown that contractors currently</li> </ul>		

# DEPARTMENT OF DEFENSE

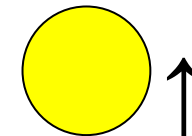
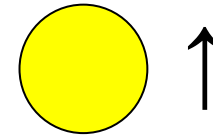
support FOIA Offices within some DoD Components. The objective is to establish standards within DoD on what FOIA functions are inherently governmental, thus exempt from outsourcing.

## Training

- Develop DoD FOIA resident training program - According to the survey, only 76.7% of FOIA personnel have received any FOIA training. Additionally, comments provided by the survey respondents indicate their senior leaders and staff attorneys lack an understanding of the requirements of the FOIA. The goal is to develop plans for resident training to include a FOIA Officer Certification Program. Funding sources for this training development will also be addressed.
- Develop a DoD FOIA online training capability within a newly created DFOIPO Website – A comprehensive online DoD FOIA training capability designed to reinforce resident training will keep DoD FOIA personnel current as well as provide a starting point for incoming personnel. The product, to be contracted, would provide basic and advanced training as well as to serve as an additional vehicle for DoD FOIA personnel to receive guidance from DFOIPO on policy matters and to get technical responses to specific policy or procedural questions.

## Technology

- Analyze FOIA software for expanded use in streamlining DoD FOIA processes – Provide guidance to Components on options available for FOIA software and electronic redaction solutions and improve the FOIA-IT funding/procurement process. The survey revealed that only 19% of FOIA Offices within DoD are currently utilizing FOIA software suites or redaction modules. The goal is to make all DoD components



## DEPARTMENT OF DEFENSE

aware of electronic options available to them and encourage their purchase and use if FOIA workload warrants the expense. Additionally, DoD Components report difficulty purchasing FOIA software, thus requiring review and improvement of current IT budget/procurement processes that support FOIA operations.

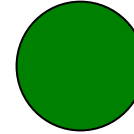
- Standardize DoD FOIA Websites to enable better public access – Develop a DFOIPO Website as a platform for online training, promulgation of policy and procedures, other FOIA network communications, and customer service feedback. Develop and implement a policy for standardizing DoD Component Websites. Currently, DoD FOIA Websites are inconsistent in fulfilling the requirements set forth in the 1996 Electronic Freedom of Information Act amendments. The goal is to implement policy across DoD, to standardize DoD FOIA Websites, and to enable better public access.
- Conduct a feasibility study for a DoD wide electronic network to expedite FOIA processing – There is no existing IT network that links DFOIPO with all DoD Components and their FOIA Offices capable of transmitting both unclassified and classified materials responsive to FOIA requests. Additionally, there is no existing network for DoD FOIA Offices to refer classified FOIA requests to all other Federal Agencies with equities in the materials. Throughout DoD and the other Federal Agencies there are some FOIA Offices equipped with classified SIPRNET email systems that serve the purpose, but these capabilities are rare. In most situations, classified FOIA cases are either hand-carried or mailed, an inefficient and time-consuming process. The long-term intent is an electronic document control system that will serve FOIA applications on a DoD enterprise network. The pace of developing such a DoD enterprise network will be driven by many considerations to include cost, technology,

# DEPARTMENT OF DEFENSE

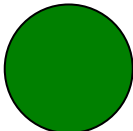
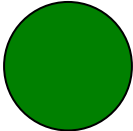
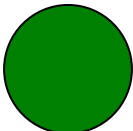
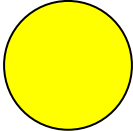
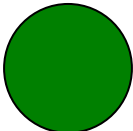
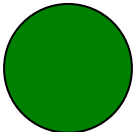
and applications other than FOIA.

## Resources/Backlog

- Determine manpower required to reduce backlogs in FOIA Offices that have backlogs over 50 requests – One of the key points of the survey was the correlation between FOIA Offices with backlog over 50 requests and FOIA Offices believed to have adequate manpower resources. Since the survey indicated backlog and resource concerns within DoD appear to be concentrated within FOIA Offices and backlogs over 50, these specific offices must be identified for further analysis and targeting of potential manpower resource allocations.
- Fund additional FOIA personnel staffing required to reduce backlogs in FY 08 and beyond – The DoD Review for EO 13392 has clearly revealed FOIA personnel shortages in FOIA Offices with backlogs. In the absence of specific appropriations from Congress for FOIA, budgeting for additional FOIA personnel within DoD must be included in the FY 08 (and beyond) planning cycle. Accordingly, DFOIPO and the OSD FOIA Office requested additional resources for FY 08 budget. To comply with the provisions of the EO, specific budgeting for FOIA resources must also be accomplished by DoD Components for their FOIA Offices with backlogs over 50.

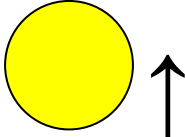
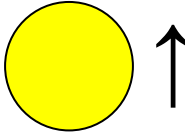
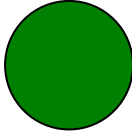
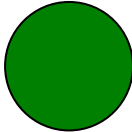
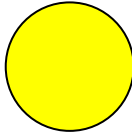



# DEPARTMENT OF EDUCATION

	Improvement Area	Progress	Goal Completed
<p><b>FOIA OPERATIONS</b></p> <p><b>Chief FOIA Officer:</b></p> <p>Mr. Michell Clark</p> <p><b>Public Liaison:</b></p> <p>4</p> <p><b>FOIA Requester Service Center:</b></p> <p>202-245-6651</p>	<p><u>Overall Website Improvement</u></p> <ul style="list-style-type: none"> <li>Implement web enhancements as a result of a review of its current structure.</li> </ul>		
	<p><u>Electronic FOIA – Automated Processing</u></p> <ul style="list-style-type: none"> <li>Improve the automation of FOIA submissions and tracking process by utilizing the full functionality of FOIAXpress. Use specialized CDs to respond electronically to requesters.</li> </ul>		
	<p><u>Multi-Track Processing</u></p> <ul style="list-style-type: none"> <li>Establish three tracks for processing FOIA requests.</li> </ul>		
	<p><u>Backlog Reduction/Elimination<sup>1</sup></u></p> <ul style="list-style-type: none"> <li>Reduce the backlog of pending requests (480 as of June 2, 2006). In addition, the Department will implement a “10-Oldest” Backlog Reduction Effort.</li> </ul>		
	<p><u>Improvement Ideas from Field Office Personnel</u></p> <ul style="list-style-type: none"> <li>Implement FOIAXpress in Office for Civil Rights Regional Offices.</li> </ul>		
	<p><u>Training and Guidance</u></p> <ul style="list-style-type: none"> <li>Develop a strategic outreach training/guidance program for all ED employees.</li> </ul>		

<sup>1</sup> Education had several milestones in this improvement area. While the Department was unable to close the “10-Oldest” requests according to its improvement plan, it was able to meet all other milestones, including a 48% reduction in its overall backlog.

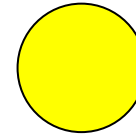
# DEPARTMENT OF ENERGY

	Improvement Area	Progress	Goal Completed
<p><b>FOIA OPERATIONS</b></p> <p><b>Chief FOIA Officer:</b></p> <p>Ms. Ingrid A.C. Kolb</p> <p><b>Public Liaison:</b></p> <p>22</p> <p><b>FOIA Requester Service Center:</b></p> <p>22</p>	<p><u>Training</u></p> <ul style="list-style-type: none"> <li>Develop and implement a FOIA training program to ensure that DOE employees are aware and knowledgeable about the requirements of the FOIA and their responsibilities under the statute. The training program will be available to all DOE employees, but will be targeted to those individuals with FOIA responsibilities.</li> </ul> <p><u>Processing of Requests</u></p> <ul style="list-style-type: none"> <li>Develop standard procedures and instructions for processing FOIA requests to create consistency and timely processing of requests throughout the agency.</li> </ul> <p><u>Communications with Requesters</u></p> <ul style="list-style-type: none"> <li>Improve communications with requesters by developing more consistent responses and creating opportunities for dialogue with requesters about the FOIA program.</li> </ul> <p><u>Backlog Reduction</u></p> <ul style="list-style-type: none"> <li>Implement an initiative to reduce the number of pending FOIA cases over 1 year old by 50% by June 2007.</li> </ul> <p><u>Receiving Electronic FOIA Requests</u></p> <ul style="list-style-type: none"> <li>Develop a standard electronic FOIA form to facilitate the public's ability to submit FOIA requests to the Department, and will develop guidance for FOIA Officers to inform the public about records at each of the DOE locations through the DOE FOIA web sites.</li> </ul>	<p style="text-align: center;">          </p>	<p style="text-align: center;">  </p>

# DEPARTMENT OF ENERGY

## Overall Web Improvement

- Provide information to the public on DOE FOIA Web sites in a consistent manner.



# DEPARTMENT OF HEALTH AND HUMAN SERVICES

	Improvement Area	Progress	Goal Completed
<p><b>FOIA OPERATIONS</b></p> <p><b>Chief FOIA Officer:</b> Ms. Suzanne C. DeFrancis</p> <p><b>Public Liaison:</b> 13</p> <p><b>FOIA Requester Service Center:</b> 13</p>	<p><u>Reduce Backlog</u><sup>1</sup></p> <ul style="list-style-type: none"> <li>The majority of the Department's FOIA requests are received by a handful of FRSCs – OS, FDA, NIH, CDC, and CMS. In particular, these agencies will focus on implementing strategies to substantially reduce their request backlog. By concentrating on staffing resources, verifying older FOIA requests, and internal accountability, the goal is to reduce the current Department backlog by 5% in CY 2006.</li> </ul> <p><u>Improve Processing</u></p> <ul style="list-style-type: none"> <li>Reduce steps or time needed to perform various procedures. Potential strategies include greater utilization of electronic processing and development of standardized response letters. Specifically, the Department will streamline certain routine processes and increase utilization of electronic processing/tracking capabilities.</li> </ul> <p><u>Improve Resources</u></p> <ul style="list-style-type: none"> <li>FRSCs will better allocate staff resources as well as increase FOIA knowledge. The Department will do so by revising staff guidance, training staff, and concentrating on staffing resources.</li> </ul> <p><u>Improve Public Awareness</u></p> <ul style="list-style-type: none"> <li>The Department is seeking to provide a greater emphasis on customer service in its FOIA system. Through updating public guidance and increasing use of the Web, HHS seeks to better</li> </ul>	<p style="text-align: center;">●</p> <p style="text-align: center;">●</p> <p style="text-align: center;">●</p> <p style="text-align: center;">●</p>	

<sup>1</sup> As noted in the body of the report, HHS closed 35,177 more requests in FY06 than were closed in the preceding fiscal year, and yet because of an increase in in-coming requests (35,780 new requests) its overall backlog did not decrease.



**DEPARTMENT OF HEALTH AND HUMAN SERVICES**

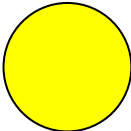
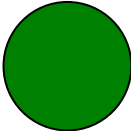
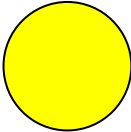
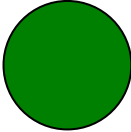
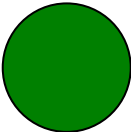

	<p>inform the public about FOIA and its processes as well as improve access to agency records.</p>		
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# DEPARTMENT OF HOMELAND SECURITY

	Improvement Area	Progress	Goal Completed
<p><b>FOIA OPERATIONS</b></p> <p><b>Chief FOIA Officer:</b></p> <p>Mr. Hugo Teufel III</p> <p><b>Public Liaison:</b></p> <p>19</p> <p><b>FOIA Requester Service Center:</b></p> <p>19</p>	<p><u>Backlog Reduction</u><sup>1</sup></p> <ul style="list-style-type: none"> <li>• Backlog eliminated by December 31, 2007.</li> </ul> <p><u>Education and Training</u></p> <ul style="list-style-type: none"> <li>• Improve DHS employee FOIA training and customer service by December 31, 2007.</li> </ul> <p><u>Technology Improvements to Enhance FOIA Processing and Information Delivery</u></p> <ul style="list-style-type: none"> <li>• Identify, implement and encourage Department-wide use of FOIA tracking and processing technology by December 31, 2007.</li> <li>• Enhance component web sites to improve customer service.</li> </ul>	<p style="text-align: center;">●</p> <p style="text-align: center;">●</p> <p style="text-align: center;">●</p>	

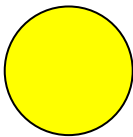
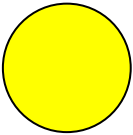
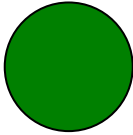
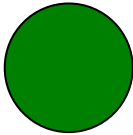
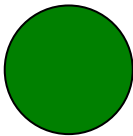
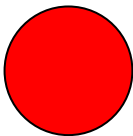

<sup>1</sup> DHS did not have any goals with a target completion date that fell within the first reporting period. However, the goals mentioned in this report each had intermediate steps whose milestone completion dates were within this reporting period.

# DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

	Improvement Area	Progress	Goal Completed
<p><b>FOIA OPERATIONS</b></p> <p><b>Chief FOIA Officer:</b></p> <p>Mr. Keith A. Nelson</p> <p><b>Public Liaison:</b></p> <p>11</p> <p><b>FOIA Requester Service Center:</b></p> <p>80</p>	<p><u>Affirmative and Proactive Disclosure of Information</u></p> <ul style="list-style-type: none"> <li>Improve the quantity and quality of information that is affirmatively and proactively made available to the public, without the necessity of a FOIA request.</li> </ul> <p><u>Overall Website Improvement</u></p> <ul style="list-style-type: none"> <li>Improve organization of, enhance presentation of, and expand the number of documents made available on FOIA website. Establish links to program areas where posted documents can be obtained.</li> </ul> <p><u>Improvement of HUD's FOIA Reference Guide</u></p> <ul style="list-style-type: none"> <li>Post index of all major information systems on the FOIA website. Make complete summary of categories and types of information available from HUD, both within and outside of the FOIA process.</li> </ul> <p><u>Automated Tracking Capabilities</u></p> <ul style="list-style-type: none"> <li>Update automated tracking system and improve its functionality.</li> </ul> <p><u>Backlog Reduction<sup>1</sup></u></p> <ul style="list-style-type: none"> <li>Reduce existing backlog of over 500 pending Headquarters FOIA requests that exceed the statutory 20-day period of response.</li> </ul>	<p style="text-align: center;"></p> <p style="text-align: center;"></p> <p style="text-align: center;"></p> <p style="text-align: center;"></p> <p style="text-align: center;"></p>	<p style="text-align: center;"></p>

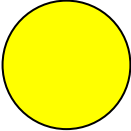
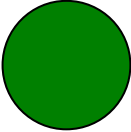

<sup>1</sup> The target completion date for this goal did not fall within the first reporting period. HUD, however, did complete all milestones with completion dates before February 1, 2007 which will help them achieve this goal in the future.

# DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

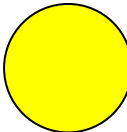
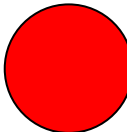
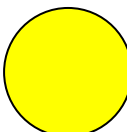
<p><u>Politeness/Courtesy</u></p> <ul style="list-style-type: none"> <li>• Improve customer service by eliminating complaints regarding non-responsiveness, lack of courtesy and lack of a citizen-centered customer service focus to FOIA requests.</li> </ul> <p><u>Process for Obtaining Cooperation from HUD “Program Personnel”</u></p> <ul style="list-style-type: none"> <li>• (1) Raise the priority of FOIA processing within program areas to eliminate untimely program responses to FOIA search requests. (2) Require routine affirmative and proactive disclosure of publicly available documents.</li> </ul> <p><u>Additional Training</u></p> <ul style="list-style-type: none"> <li>• Ensure adequate training of both FOIA field personnel and program personnel conducting program area searches.</li> </ul> <p><u>Increased Staffing or Staffing Reallocation</u></p> <ul style="list-style-type: none"> <li>• Complete analysis of existing staff resources and allocation, and increase staffing or reallocate, as appropriate.</li> </ul> <p><u>Contracting Out/Hiring of Contracting Employees</u></p> <ul style="list-style-type: none"> <li>• Hire contract employees on a temporary basis or procure contract servicer to address backlog until staffing analysis is complete. Analyze option of contracting out FOIA processing operations.</li> </ul> <p><u>Communications with Requesters<sup>2</sup></u></p> <ul style="list-style-type: none"> <li>• Shorten response time and increase use of electronic</li> </ul>	          	
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<sup>2</sup> HUD was unable to complete any milestones in this improvement area. Furthermore, at the time of reporting they had not identified the steps the agency will be taking to address these deficiencies as required by the Executive Order.

# DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

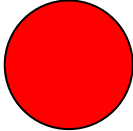
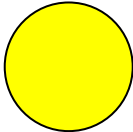
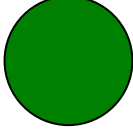
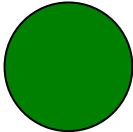
	<p>communications.</p> <p><u>Organizational Realignment</u></p> <ul style="list-style-type: none"><li>• Change existing, decentralized structure to better integrate Headquarters and field operations.</li></ul> <p><u>Processing of Appeals</u></p> <ul style="list-style-type: none"><li>• Transfer handling of appeals to single attorney with FOIA expertise.</li></ul>	 	
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# DEPARTMENT OF THE INTERIOR

	Improvement Area	Progress	Goal Completed
<p><b>FOIA OPERATIONS</b></p> <p><b>Chief FOIA Officer:</b></p> <p>Waiting for replacement</p> <p><b>Public Liaison:</b></p> <p>13</p> <p><b>FOIA Requester Service Center:</b></p> <p>11</p>	<p><u>Improve Customer Service</u></p> <ul style="list-style-type: none"> <li>• Ensure FOIA web sites are in compliance, accurate, up to date, and functional, employing user-friendly formats with easy, consistent and logical navigation.</li> <li>• Improve customer service using customer feedback where appropriate.</li> </ul> <p><u>Eliminate FOIA Backlogs</u></p> <ul style="list-style-type: none"> <li>• Reduce and/or eliminate FOIA backlogs in compliance with FOIA and Executive Order 13392.</li> </ul> <p><u>Build and Retain a Highly Skilled FOIA Workforce</u></p> <ul style="list-style-type: none"> <li>• Apply consistent personnel standards for FOIA Officers/Coordinators and Designated FOIA Attorneys, and provide a DOI-wide recognition program.</li> <li>• Develop a comprehensive FOIA training and awareness program to meet the needs of all DOI-FOIA employees, at various levels of proficiency, using different media to accommodate personnel located in headquarters and the field. The objective is to assist FOIA employees in acquiring and having access to the knowledge and skills they need to perform their jobs effectively, emphasizing the importance of customer service, and ensuring statutory and regulatory compliance.</li> </ul>	<p style="text-align: center;"></p> <p style="text-align: center;"></p> <p style="text-align: center;"></p>	

<sup>1</sup> The Department of Interior reported not meeting the first milestone toward the elimination of its backlog in the Office of Inspector General. They have reported that completion of their milestone by the alternative date is contingent on the approval of additional resources. Furthermore, they have now set the completion date for this first milestone after their original target completion date for the entire goal.

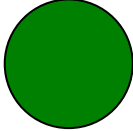

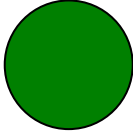

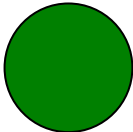


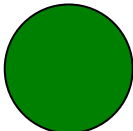
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	<p><u>Improve and Streamline FOIA Processing</u></p> <ul style="list-style-type: none"><li>• Identify solutions to improve and streamline FOIA processing by evaluating the human resource management, training, communication and technology relationships and other sources of processing obstacles.</li></ul> <p><u>Improve Departmental Communication and Consistency</u></p> <ul style="list-style-type: none"><li>• Enhance effective FOIA stakeholder collaboration considering challenges faced by the Office of the Chief Information Officer (OCIO), Solicitor's Office (SOL), bureaus/offices and upper management.</li><li>• Provide consistent Department-wide FOIA policy, guidance, and standards to facilitate compliance and accountability, and improve customer service.</li></ul> <p><u>Optimize FOIA Structure Organization</u></p> <ul style="list-style-type: none"><li>• Adopt the most appropriate DOI FOIA structural organization.</li></ul> <p><u>Employ Viable Technical Solutions</u></p> <ul style="list-style-type: none"><li>• Apply appropriate technology to scan, redact, and streamline the FOIA process and improve quality control.</li></ul>	   	
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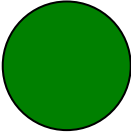
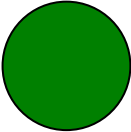
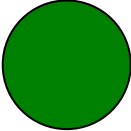


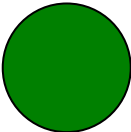

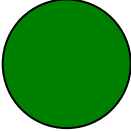

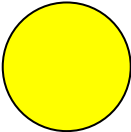




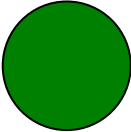
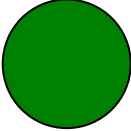
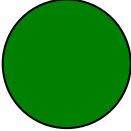
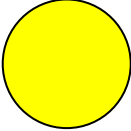
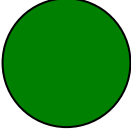
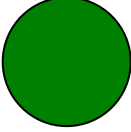
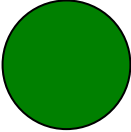

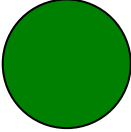

# DEPARTMENT OF JUSTICE

<p><u>Use of information technology</u></p> <ul style="list-style-type: none"><li>• Increase efficiency in redacting and improving quality of final product by using existing scanner with Adobe Acrobat software.</li><li>• Purchase electronic FOIA processing system to include updated tracking and redacting functions as well as the ability to receive requests electronically.</li><li>• Increase efficiency in handling FOIA litigation support and coordination with other FOIA offices through integration of scanning copier into office computer network.</li></ul>		
<p><u>FOIA Web pages/Reading room records</u></p> <ul style="list-style-type: none"><li>• Improve OIP's and covered offices' FOIA Web pages in order to provide more information to the public.</li></ul>		
<p><u>Backlog reduction</u></p> <ul style="list-style-type: none"><li>• Reduce the existing backlog of pending initial FOIA requests by a substantial percentage each year (i.e., 10% by 1-15-07, 15% by 1-15-08, and 20% by 12-31-08, as measured by number of requests pending), by periodically and consistently focusing on the existing backlog.</li><li>• Close the ten oldest FOIA requests pending each year.</li></ul>		 
<p><b>ANTITRUST DIVISION</b></p> <p><u>Electronic FOIA/Clarity of FOIA requests and responses</u></p> <ul style="list-style-type: none"><li>• Permit the use of e-mails to submit FOIA requests and to provide requesters information that will foster clarity of e-mailed and written requests and the Unit's questions about and responses to FOIA requests.</li></ul> <p><u>Acknowledgment letters</u></p>		

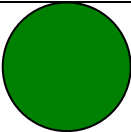

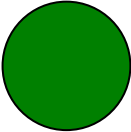

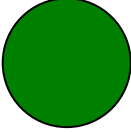

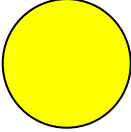

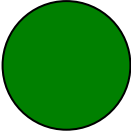

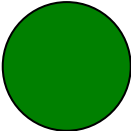

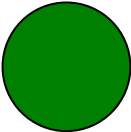

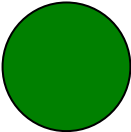

# DEPARTMENT OF JUSTICE

<ul style="list-style-type: none"> <li>• Ensure that timely and complete acknowledgment letters are provided to requesters.</li> </ul> <p><u>Backlog reduction</u></p> <ul style="list-style-type: none"> <li>• Reduce the existing backlog of pending initial FOIA requests by a substantial percentage each year (i.e., minimum of 10% for Fiscal Year 2006, and 20% per fiscal year thereafter, as measured by number of requests pending) by periodically and consistently focusing on the existing backlog.</li> </ul> <p><u>Politeness/courtesy</u></p> <ul style="list-style-type: none"> <li>• Ensure that all callers are treated politely.</li> </ul>	    	  
<p><b>BUREAU OF ALCOHOL, TOBACCO, FIREARMS &amp; EXPLOSIVES</b></p>		
<p><u>Records search process</u></p> <ul style="list-style-type: none"> <li>• Further streamline the amount of time needed to make an initial determination of the status for a request for criminal investigations.</li> </ul>		
<p><u>Acknowledging requests and release of information</u></p> <ul style="list-style-type: none"> <li>• Release information electronically, when possible.</li> </ul>		
<p><u>ATF's FOIA Web site</u></p> <ul style="list-style-type: none"> <li>• Improve the design and information disseminated on the ATF FOIA Web site.</li> </ul>		
<p><u>Backlog reduction</u></p>		

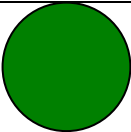
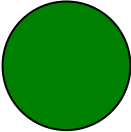
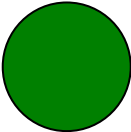
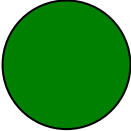
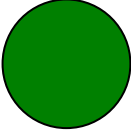
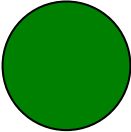



# DEPARTMENT OF JUSTICE

<ul style="list-style-type: none"><li>• Reduce the existing backlog of pending FOIA requests by 10% each year, by focusing on the backlog of requests assigned to each Disclosure Specialist.</li></ul>		
<p><b>CIVIL DIVISION</b></p>		
<p><u>FOIA Web site function and content</u></p>		
<ul style="list-style-type: none"><li>• Maintain fully operating FOIA Web site with current information.</li></ul>		
<p><u>Electronic receipt/response for FOIA requests</u></p>		
<ul style="list-style-type: none"><li>• Consider receiving and responding to FOIA requests electronically via the Internet.</li></ul>		
<p><u>Acknowledgment letter responses</u></p>		
<ul style="list-style-type: none"><li>• Review adequacy and timing of request acknowledgment letters.</li></ul>		
<p><u>Communications with requesters</u></p>		
<ul style="list-style-type: none"><li>• Improve communications with requesters by providing phone numbers and e-mail address for contact with the FOIA Requester Service Center.</li></ul>		
<p><u>Customer service</u></p>		
<ul style="list-style-type: none"><li>• Review the Executive Order and train personnel to improve customer service.</li></ul>		

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<p><u>Staffing/Position descriptions</u></p> <ul style="list-style-type: none"> <li>Update position descriptions for FOIA staff to accurately reflect job duties.</li> </ul>		
<p><u>Cross-training</u></p> <ul style="list-style-type: none"> <li>Cross-train back-up personnel.</li> </ul>		
<p><u>Docket control system</u></p> <ul style="list-style-type: none"> <li>Review automated docket and control system to ensure that all necessary information is being maintained.</li> </ul>		
<p><u>E-FOIA publication requirements</u></p> <ul style="list-style-type: none"> <li>Review E-FOIA publication requirements and post additional records on the Internet as required.</li> </ul>		
<p><u>Multi-track processing</u></p> <ul style="list-style-type: none"> <li>Analyze and determine reliability of multi-track processing for complicated requests.</li> </ul>		
<p><u>FOIA Requester Service Center complaints</u></p> <ul style="list-style-type: none"> <li>Review, respond to, and resolve complaints to the FOIA Requester Service Center.</li> </ul>		
<p><b>CIVIL RIGHTS DIVISION (CRT)</b></p>		
<p><u>Increase in staff with strengths in areas chosen for improvement</u></p> <ul style="list-style-type: none"> <li>Place a GS-13 FOIA Specialist on staff.</li> </ul>		
<p><u>Funding to develop electronic FOIA processing/Purchase related</u></p>		

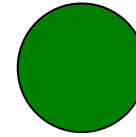
# DEPARTMENT OF JUSTICE

<p><u>(new) equipment</u></p> <ul style="list-style-type: none"> <li>• Bring CRT's need for electronic equipment into discussion for upcoming budget plans.</li> </ul> <p><u>Improvements in timeliness for the 15% segment of workload with a substantially higher level of processing time</u></p> <ul style="list-style-type: none"> <li>• Reduce the turnaround time for complex FOIA/PA requests.</li> </ul> <p><u>Affirmative disclosure compliance under subsection (a)(2)/ Proactive disclosure Web site/ Electronic reading room enhancement</u></p> <ul style="list-style-type: none"> <li>• Provide additional documents/information to the public and other CRT customers via CRT's Electronic Reading Room.</li> </ul> <p><u>Customer Service and inter-office relations/Communications</u></p> <ul style="list-style-type: none"> <li>• Provide prompt and courteous service regarding general procedure, status inquiries and information about CRT's programs to the public and other components/offices.</li> </ul> <p><u>Plan for any needed FOIA training of FOIA staff and Division Staff</u></p> <ul style="list-style-type: none"> <li>• Plan for any needed legal training of FOIA staff and program staff.</li> </ul> <p><b>COMMUNITY RELATIONS SERVICE (CRS)</b></p> <p><u>Affirmative disclosure under subsection (a)(2)</u></p> <ul style="list-style-type: none"> <li>• Make sure that CRS has posted on its Web site all policy statements, and other documents and materials that should be posted there.</li> </ul>	     	        
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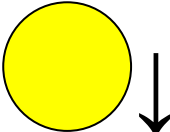
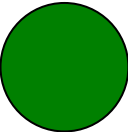

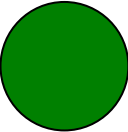
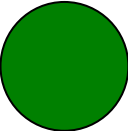

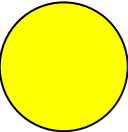
# DEPARTMENT OF JUSTICE

## Electronic FOIA

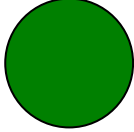
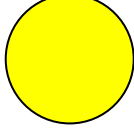
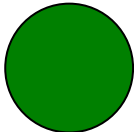
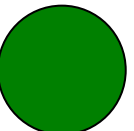
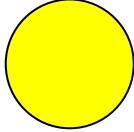

- Determine if CRS has a legitimate need for an Electronic FOIA system for receiving and responding to FOIA requests in light of having received only two FOIA requests during Fiscal Year 2005.



# DEPARTMENT OF JUSTICE

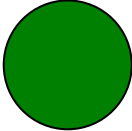

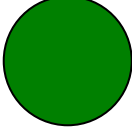

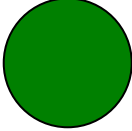

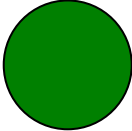

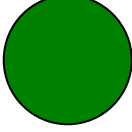


Improvement Area	Progress	Goal Completed		
<p><b>CRIMINAL DIVISION</b></p> <p><u>Backlog reduction</u></p> <ul style="list-style-type: none"> <li>Reduce our backlog from 875 pending requests to approximately 525.</li> </ul>				
<p><u>Purchase of new equipment</u></p> <ul style="list-style-type: none"> <li>Update photocopier and shredder, thereby increasing productivity.</li> </ul>				
<p><u>Consultation/concurrence process</u></p> <ul style="list-style-type: none"> <li>Improve our follow-up on consultations and concurrences to decrease processing time, thereby reducing our backlog.</li> </ul>				
<p><u>Customer-service policy</u></p> <ul style="list-style-type: none"> <li>Ensure that all requesters contacting the Criminal Division's FOIA Requester Service Center are treated with courtesy and professionalism and that all of their questions are answered efficiently.</li> </ul>				
<p><u>Web site</u></p> <ul style="list-style-type: none"> <li>Ensure that subsection (a)(2) materials are posted in a timely manner and that of out-of-date material is promptly removed, with Unit Chief taking responsibility for full subsection (a)(2) compliance.</li> </ul>				

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<p><u>Training</u></p> <ul style="list-style-type: none"><li>• Update our in-house training materials.</li></ul> <p><u>Declassification process</u></p> <ul style="list-style-type: none"><li>• Shorten the length of time it takes to receive classified material back from the Declassification Officer, in order to reduce overall processing time of requests involving classified materials.</li></ul> <p><b>DRUG ENFORCEMENT ADMINISTRATION (DEA)</b></p> <p><u>Affirmative disclosure under subsection (a)(2); Proactive disclosure of information</u></p> <ul style="list-style-type: none"><li>• Improve customer satisfaction with accessible information without the necessity of the FOIA process. (These two areas were grouped together because the steps required to reach the goal follow the same path).</li></ul> <p><u>Automated tracking capabilities; Electronic FOIA; Multi-track processing</u></p> <ul style="list-style-type: none"><li>• Increase efficiency in tracking and redacting functions as well as the ability to receive/send requests electronically. (These areas were grouped together because the steps required to reach the goal follow the same path).</li></ul> <p><u>Backlog reduction/elimination</u></p> <ul style="list-style-type: none"><li>• Reduce the existing backlog of pending FOIA requests by a proportional ratio of a percentage each year to include a quarterly reduction of 2% of existing pending cases more than twenty days old. This will be completed by periodically</li></ul>	    	
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# DEPARTMENT OF JUSTICE

<p>and consistently focusing on the existing backlog.</p>		
<p><u>Customer relations/Communications</u></p> <ul style="list-style-type: none"> <li>• Ensure that requesters have a direct point of contact (FOIA Specialist) with whom to discuss their FOIA requests.</li> </ul>		
<p><u>System of handling referrals/consultations</u></p> <ul style="list-style-type: none"> <li>• Ensure that appropriate documents are forwarded to DEA for review/consultation purposes.</li> </ul>		
<p><b>ENVIRONMENT AND NATURAL RESOURCES DIVISION (ENRD)</b></p>		
<p><u>Processing complex FOIA requests</u></p> <ul style="list-style-type: none"> <li>• Initiate informal Executive Office and LPS reviewing attorney consultation prior to sending out complex FOIA requests to section contacts. This should cut down on processing time by ensuring proper routing of FOIA requests.</li> </ul>		
<p><u>Recordkeeping process</u></p> <ul style="list-style-type: none"> <li>• Ensure that the ENRD's part of the Department's annual FOIA report is accurate by establishing a system by which attorneys are "billing" time they spend on FOIA matters directly to the cases that are the subject of the FOIA request, which in turn means that the true number of hours spent on FOIA matters is accurately recorded.</li> </ul>		
<p><u>Backlog reduction</u></p> <ul style="list-style-type: none"> <li>• Reduce total FOIA processing by reducing the time a FOIA request is in LPS, thus enabling reduction of the ENRD FOIA backlog.</li> <li>• Reduce ENRD's backlog by 10% each year by meeting on a</li> </ul>		 

# DEPARTMENT OF JUSTICE

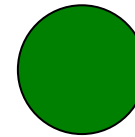
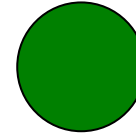
quarterly basis to evaluate the backlog.

## Personnel

- Convene all ENRD FOIA staff (including all section FOIA processors and FOIA managers) on an annual basis (or more often, when necessary), in order to relay any new FOIA procedures or guidance to all FOIA staff and to brainstorm about improvements that can be made to the ENRD FOIA process.

## Politeness/courtesy

- Ensure that all new LPS paralegals recognize the importance of ENRD's customary practice of dealing courteously and appropriately with our requesters throughout the FOIA response process.





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- Centralize filing of FOIA records and evaluate the feasibility of expanding bar coding to manage files.
- Increase efficiency through additional training at headquarters and in field offices/immigration courts.
- Improve response time for the field office/immigration courts.
- Include FOIA compliance in court-evaluation reviews. Structurally, once data from the first steps are collected, the FOIA Requester Service Center works with the Office of the Chief Immigration Judge (OCIJ) to include FOIA compliance as part the court-evaluation process. If courts understand that their compliance will be monitored they will be more likely to respond timely.
- Increase efficiency by improving channels with DHS FOIA personnel through politeness and courtesy.
- Reduce response times for expedited requests. In the annual report of Fiscal Year 2005, the median request time for expedited requests exceeded the median number of days for a non expedited requests.

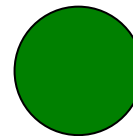
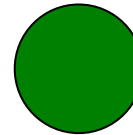
## Monitor and expand public access to recurring information

- Web site review. Consistent with the Strategic Plan adopted by EOIR, maintenance of electronic communication with the public is an essential function of the FOIA Requester Service Center. To meet these long-term goals EOIR is committed to regular review of its Web-based information.
- Maximize affirmative disclosure under subsection (a)(2), through the prompt use of EOIR's electronic reading room.

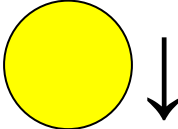
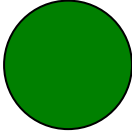
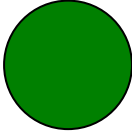



## **EXECUTIVE OFFICE FOR UNITED STATES ATTORNEYS (EOUSA)**

### Customer Service

- Enhance use of automated FOIA/PA forms.
- Train intake personnel by reviewing existing procedures with



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	<p>that personnel.</p> <ul style="list-style-type: none"><li>• Revise intake procedures to target sending an acknowledgment letter to the requester within five days of receipt of the request.</li></ul> <p><u>Backlog reduction/Efficiency</u></p> <ul style="list-style-type: none"><li>• Direct the USAOs to respond in a timely manner.</li><li>• Set up a database that will periodically provide notice to the USAOs of all their pending requests.</li><li>• Reduce the existing backlog of pending requests by substantial percentages, by periodically and consistently focusing on existing backlog.</li><li>• Provide training to all new FOIA contacts in the USAOs as they arrive. Send out notices to the new contacts informing them that we can provide individual training at EOUSA or where feasible. Provide guidance by telecommunication devices, training manuals, or travel to our office.</li><li>• Ensure that in-house records are processed in a timely manner.</li></ul> <p><u>Public access to information</u></p> <ul style="list-style-type: none"><li>• Enhance public Web access to EOUSA's procedures and resources. Maintenance of electronic communication with the public is an essential function for the FOIA staff. In an effort to meet these goals, the EOUSA FOIA Staff will regularly review its Web-based information and make useful updates.</li><li>• Ensure completeness of electronic reading room resources.</li><li>• Update Major Information Systems (MIS) per FOIA requirements.</li></ul> <p><u>Annual report</u></p> <ul style="list-style-type: none"><li>• Create a computer-generated annual report submission.</li></ul>	  	  
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# DEPARTMENT OF JUSTICE

Over the past several years we have been able to pull reports from our database, but all reports were run separately and information was manually pulled from these reports and then compared for accuracy. We determined that it would be less time consuming if we could recreate an automated program that would pull from all the individual reports and plug in all the information required in the annual report.

## **EXECUTIVE OFFICE FOR U.S. TRUSTEES (EOUST)**

### Disclosure/FOIA reading room Web site

- EOUST will make affirmative disclosures through the FOIA reading room Web site, as required under 5 U.S.C. § 552(a)(2), and will make additional improvements to the Web site as needed.

### Processing procedures and times

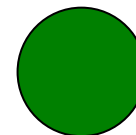
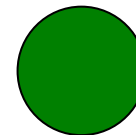
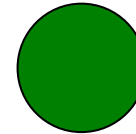
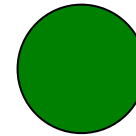
- EOUST will make improvements in processing procedures and times. Greater efficiency will be achieved with delegation to the FOIA Privacy/Counsel to sign designated final letters to requesters.

### FOIA personnel

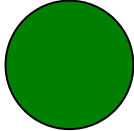
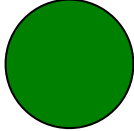
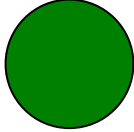



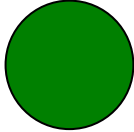


- EOUST will evaluate the number and complexity of FOIA requests to determine if OGC needs to plan for an increased allocation of staff for FOIA work. EOUST will investigate and evaluate the option of contracting out FOIA work.

### Referrals and consultations

- EOUST will streamline its procedures for handling referrals and consultations.



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<p><u>Customer service</u></p> <ul style="list-style-type: none"><li>• EOUST will improve communications with requesters, both by phone and in letters, and will be polite and courteous in dealing with requesters.</li></ul> <p><u>Recycling of improvement information gleaned from FOIA Requester Service Center</u></p> <ul style="list-style-type: none"><li>• Establish a formal process to document and make use of requester-provided information regarding improvements to our FOIA process.</li></ul> <p><u>Staff training</u></p> <ul style="list-style-type: none"><li>• EOUST will investigate suitable formal FOIA training and will conduct in-house training for FOIA staff.</li></ul>	  	  
<p><b>FEDERAL BUREAU OF INVESTIGATION (FBI)</b></p> <p><u>FBI record system</u></p> <ul style="list-style-type: none"><li>• Develop Central Record Complex. (This will improve receipt/search, record-retrieval, and delivery sub-processes by greatly minimizing lost files and manual movement of files.)</li><li>• Dispose of or transfer files to NARA per approved schedule. (This will improve receipt/search and record-retrieval sub-processes by increasing search accuracy, decreasing search time, and reducing lost files, missing serials, and manual movement of files.)</li><li>• Review file classification. (This will improve receipt/search and record-retrieval sub-processes by making file series classifications more specific and eliminating the use of "catch-all" file series.)</li></ul>		 

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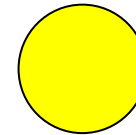
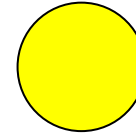
- Emphasize compliance with recordkeeping requirements. (This will improve receipt/search and record-retrieval sub-processes by reducing missing serials and lost files, as well as proper recordkeeping for e-mails.)
- Development of FBI Sentinel Project, including a FBI Records Management Application, electronic case files, and new search capabilities. (This will impact receipt/search and record-retrieval sub-processes by increasing search accuracy, by decreasing search time, and by reducing lost files, missing serials, and manual movement of files.)

## Human resources

- Fill vacant employee positions. (This will improve ability to process requests more quickly.)
- Increase employee education level. (This will improve quality and consistency of processing.)
- Develop and implement formal, in-house training programs. (This will improve quality and consistency of processing, and ability to process requests more quickly.)
- Develop individual production metrics. (This will improve ability to process requests more quickly.)
- Develop and measure individual quality metrics. (This will improve quality and consistency of processing.)

## FOIA process policies and design

- Improve existing process through focus on use of IT enhancements to the existing automated processing system. (This will improve ability to process requests more quickly.)
- Develop within the automated processing system OCR capability parallel with scanned images to identify duplicate documents. (This will improve quality and consistency of processing.)
- Develop within the automated processing system enhanced recognition of similar requests. (This will improve quality and





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consistency of processing, and thus ability to process requests more quickly.)

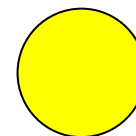
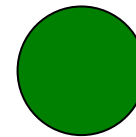
- Review current processing policies to determine effectiveness of multiple tracks, parallel processing, interim releases, focus on old requests, and negotiation. (This will improve ability to process requests more quickly.)
- Review current metric collections to ensure that they accurately measure speed and accuracy, compile annual reports, measure meaningful work, and are acquired with minimum manual effort. (This will improve quality and consistency of processing, and thus ability to process requests more quickly.)
- Continue emphasis on completing requests over two years old. (This will improve ability to process requests more quickly.)
- Decrease by 10% from Fiscal Year 2005 the median processing time for requests in the small (0 – 500 pages) and medium (501 – 1500 pages) queues.
- Decrease by 20% from Fiscal Year 2005 the median pending time for all requests.

## Improvements in customer ability to determine the status of a request

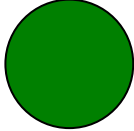
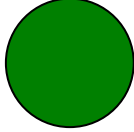
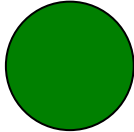
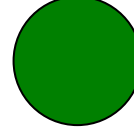
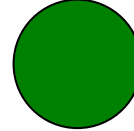




- Review FOIA Requester Service Center logs.
- Review politeness/courtesy goals for interactions with requesters.
- Determine feasibility of automatic generation of status letters as requests move through FOIA/PA sub-processes.

## Improvements to the FBI's FOIA Web site reading room

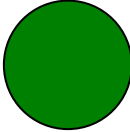
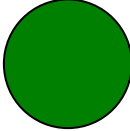
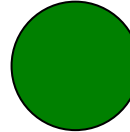
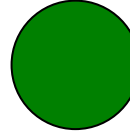
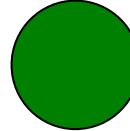


- Improve Web site usability.
- Update the FBI's general reading room and its FOIA/PA Web



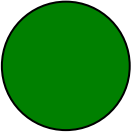

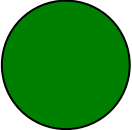

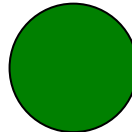

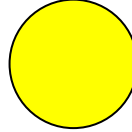
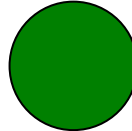

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<p>site's electronic reading room.</p> <p><u>Improvements to methods for submission of requests</u></p> <ul style="list-style-type: none"><li>• Review current methods (letter, fax, and Web site) for submission of requests to determine if other media are desired.</li></ul> <p><u>Expedited processing</u></p> <ul style="list-style-type: none"><li>• Review current procedures regarding the handling of expedited treatment requests, and implement practices necessary to ensure compliance with Department practices.</li></ul> <p><b>FEDERAL BUREAU OF PRISONS (BOP)</b></p> <p><u>Public Web site</u></p> <ul style="list-style-type: none"><li>• Ensure that information on the public Web site is consistently up-to-date and accurate.</li></ul> <p><u>Affirmative disclosure</u></p> <ul style="list-style-type: none"><li>• Establishing and implementing periodic review of subsection (a)(2) by ensuring continuous compliance with posting frequently requested records, policy statement, staff manual and instructions to staff, and final agency opinions on the Web site.</li></ul> <p><u>Proactive disclosure of information</u></p> <ul style="list-style-type: none"><li>• Reduce the number of requests filed by increasing dissemination of records that can be made available to the public without the necessity of a FOIA request.</li></ul> <p><u>Expedited processing procedures</u></p>	    	   
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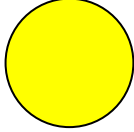
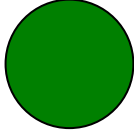

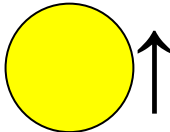
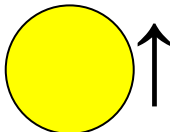
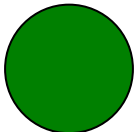

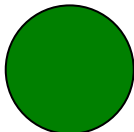

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<ul style="list-style-type: none"><li>• Ensure compliance with time limits related to expedited processing. At the close of Fiscal Year 2008, compliance with time limits for expedited processing should be no less than 80%.</li></ul> <p><u>Recycling of improvement information gleaned from FOIA Requester Service Center</u></p> <ul style="list-style-type: none"><li>• Cull, compile, and use suggestions, concerns, and ideas received via the FOIA Requester Service Center, with a goal of recorded assistance showing no less than 90% of appropriate customer-service standards (random review rated as acceptable/unacceptable/ exemplary by supervisory staff).</li></ul> <p><u>Referrals/Consultations</u></p> <ul style="list-style-type: none"><li>• Improve system of handling incoming referrals and consultations, with a goal of a 40% decrease in processing time by December 2007.</li></ul> <p><u>Centralization/decentralization structure</u></p> <ul style="list-style-type: none"><li>• Review BOP FOIA administration to determine effectiveness of FOIA administration structure in relation to centralization/decentralization.</li></ul> <p><u>Backlog-reduction project</u></p> <ul style="list-style-type: none"><li>• Reduce the number of requests pending for more than twenty days to no more than 5% (in three staged intervals, i.e., 15%, 10%, and then 5%) of the total number of requests received for the fiscal year.</li></ul> <p><b>FOREIGN CLAIMS SETTLEMENT COMMISSION (FCSC)</b></p>	    	 
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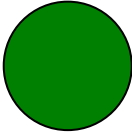

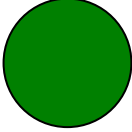

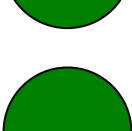

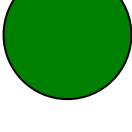

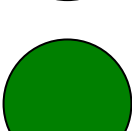
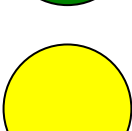

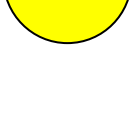

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<p><u>Customer service</u></p> <ul style="list-style-type: none"><li>• Provide training and orientation to the FCSC FOIA staff to ensure our continued professional delivery of customer service.</li></ul>		
<p><u>FOIA Web site improvement</u></p> <ul style="list-style-type: none"><li>• Improve the FCSC FOIA Web site in order to provide more information to the public more promptly pertaining to current decisions on individual claims.</li></ul>		
<p><b>INTERPOL – U.S. NATIONAL CENTRAL BUREAU (USNCB)</b></p>		
<p><u>Customer relations/Communications</u></p> <ul style="list-style-type: none"><li>• Ensure that our FOIA operation is citizen-centered and results-oriented.</li></ul>		
<p><u>Multi-track processing</u></p> <ul style="list-style-type: none"><li>• Increase efficiency in processing FOIA requests and eliminate any potential backlog.</li></ul>		
<p><u>Response letters</u></p> <ul style="list-style-type: none"><li>• Better communicate the results of our search for responsive records and to explain the disposition of those records. Since most FOIA requesters appeal the USNCB's decision to withhold records totally, explain the denial of those records in a more comprehensive and effective manner. This should decrease the number of appeals and litigation caused by misunderstanding.</li></ul>		

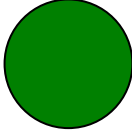
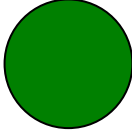


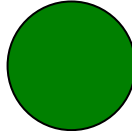

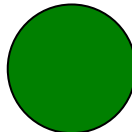

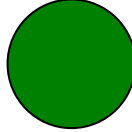
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<p><u>FOIA Web site/Reading room records</u></p> <ul style="list-style-type: none"><li>• Redesign the USNCB Web site to better serve the needs of its customers, and to structure the Web site in a manner that will be customer-friendly and easy to navigate to retrieve desired information.</li></ul>		
<p><b>JUSTICE MANAGEMENT DIVISION</b></p> <p><u>FOIA Web pages/Reading room records</u></p> <ul style="list-style-type: none"><li>• Improve JMD FOIA Web pages to provide updated information to the public in a more user-friendly format.</li></ul>		
<p><u>Use of information technology</u></p> <ul style="list-style-type: none"><li>• Increase efficiency by using better information technology to track and process FOIA requests.</li></ul>		
<p><u>Backlog reduction</u></p> <ul style="list-style-type: none"><li>• Reduce the backlog, focus primarily on the oldest FOIA requests.</li></ul>		
<p><u>Customer relations/Communications</u></p> <ul style="list-style-type: none"><li>• Provide better customer service to FOIA requesters.</li><li>• Improve forms of communications with FOIA requesters.</li></ul>		
<p><b>NATIONAL DRUG INTELLIGENCE CENTER (NDIC)</b></p> <p><u>FOIA Web site</u></p> <ul style="list-style-type: none"><li>• Update the NDIC Web site to ensure that information is current and that additional information has been added as appropriate.</li></ul>		

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<p><u>Acknowledgment letters</u></p> <ul style="list-style-type: none"><li>• Send acknowledgment letters to requesters more quickly.</li></ul>		
<p><u>Checklist and worksheet</u></p> <ul style="list-style-type: none"><li>• Create a permanent FOIA checklist/worksheet.</li></ul>		
<p><u>Customer service/Requester communications</u></p> <ul style="list-style-type: none"><li>• Ensure that all conversations with FOIA requesters, other agencies, and NDIC personnel take place in a courteous and professional manner and are properly documented.</li></ul>		
<p><u>Weekly FOIA spreadsheet</u></p> <ul style="list-style-type: none"><li>• Keep NDIC management aware of the status of FOIA requests.</li></ul>		
<p><u>Chain-of-command review process</u></p> <ul style="list-style-type: none"><li>• Minimize delays in placing response letters in the mail.</li></ul>		
<p><b>OFFICE OF COMMUNITY ORIENTED POLICING SERVICES (COPS)</b></p>		
<p><u>Proactive disclosure</u></p> <ul style="list-style-type: none"><li>• Increase the amount and type of information that is currently available in the electronic reading room. This is the type of information that is beyond the scope of the required disclosures contained under subsection (a)(2).</li></ul>		
<p><u>Referral process</u></p>		

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<ul style="list-style-type: none"><li>• Reduce delays in response to requesters by streamlining the referral process.</li></ul> <p><u>Customer service</u></p> <ul style="list-style-type: none"><li>• Improve customer service by ensuring consistency in the processing of FOIA requests.</li></ul> <p><u>Training</u></p> <ul style="list-style-type: none"><li>• Improve customer service by educating COPS Legal Division staff on the requirements established in the Executive Order.</li></ul>	 	 
<p><b>OFFICE OF THE FEDERAL DETENTION TRUSTEE (OFDT)</b></p>		
<p><u>Affirmative disclosure</u></p> <ul style="list-style-type: none"><li>• Institute an initiative to ensure full implementation of the requirements of subsection (a)(2) for all records subject to public disclosure (including any such records pertaining to detention trends, procurement, program review, and budget) in an easy-to-access format on the OFDT Web site.</li></ul>		
<p><u>Proactive disclosure</u></p> <ul style="list-style-type: none"><li>• Even if a detention record is not one required to be posted under subsection (a)(2), if the record increases public awareness of the OFDT mission, we will seek to make it available on the Web site.</li></ul>		
<p><u>Overall FOIA Web site improvement</u></p> <ul style="list-style-type: none"><li>• Improve the OFDT FOIA Web site by making it more prominent and user-friendly. Specifically, expand the information contained on the page to include not only basic</li></ul>		

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information regarding how to make a FOIA request, but also information regarding the types of records available from OFDT. Furthermore, OFDT will provide links to certain key detention records. OFDT is planning to utilize an eye-catching design that will encourage further exploration of the FOIA Web site and, ultimately, a better understanding of the workings of OFDT.

## Automated tracking capabilities

- Improve FOIA operations by implementing an automated system which, among other things, has the capability to track FOIA requests. OFDT already has met with and exchanged information regarding possible software purchases from several vendors.

## Electronic FOIA – automated processing

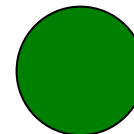
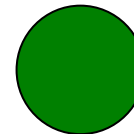
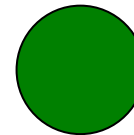
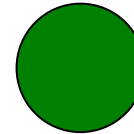
- Implement an automated system which transforms the manual labor of processing a hard-copy FOIA request to an automated system using menus and icons. To the extent that the records being requested are stored electronically, the system will retrieve the record, redact it, and deliver it to the requester.

## Electronic FOIA

- Implement an automated system which prepares and delivers the requested documents to the requesters.

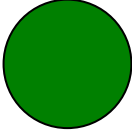
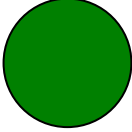
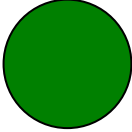
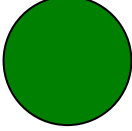
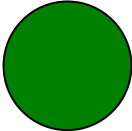
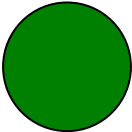






## Contracting out/Hiring of contract employees

- Because there currently is only one staff member assigned to process FOIA requests at OFDT and that staff member also serves as legal counsel to the office, OFDT proposes to hire one contract employee to assist in OFDT's FOIA operations.

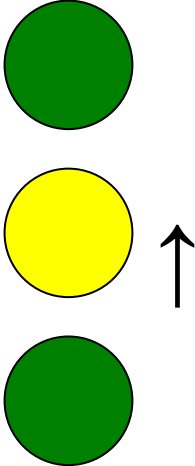
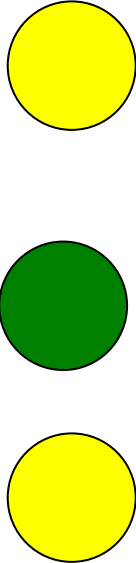




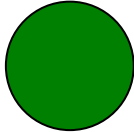

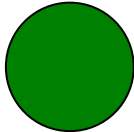

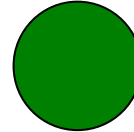

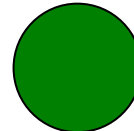

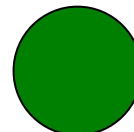

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<p><b>OFFICE OF THE INSPECTOR GENERAL (OIG)</b></p> <p><u>FOIA Web site</u></p> <ul style="list-style-type: none"><li>• Make additions to the Web site to allow requesters the option of sending requests either by e-mail or fax.</li></ul> <p><u>Automated tracking process</u></p> <ul style="list-style-type: none"><li>• Track requests in the FOIA tracking system by name or other detailed information.</li></ul> <p><u>Electronic FOIA</u></p> <ul style="list-style-type: none"><li>• To give requesters the option to file their requests electronically.</li></ul> <p><u>Customer communications</u></p> <ul style="list-style-type: none"><li>• Improve communications with requesters</li></ul> <p><u>Referral/consultation process</u></p> <ul style="list-style-type: none"><li>• Maintain a better system when dealing with referrals/consultations to ensure the proper handling of requests.</li></ul> <p><b>OFFICE OF INTELLIGENCE POLICY AND REVIEW (OIPR)</b></p> <p><u>System of handling referrals and consultations</u></p> <ul style="list-style-type: none"><li>• Install a “tickler” system to track and update the status of pending referrals and consultations.</li></ul> <p><u>Recycle improvement information gleaned from FOIA Requester Service Center</u></p>	     	     
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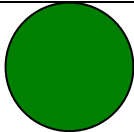
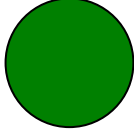
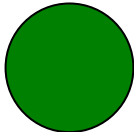



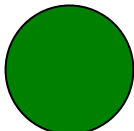

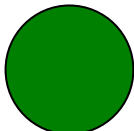

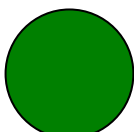

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<ul style="list-style-type: none"> <li>Implement a regular review of access community comments to ensure customer satisfaction, and implement any initiatives that will further enhance the process.</li> </ul> <p><u>Backlog reduction/elimination</u></p> <ul style="list-style-type: none"> <li>Reduce backlog of ten requests by two requests quarterly.</li> </ul> <p><u>Customer service</u></p> <ul style="list-style-type: none"> <li>Consistently exhibit polite and courteous interaction with the requester community.</li> </ul>		<p style="text-align: center;">✓</p> <p style="text-align: center;">✓</p> <p style="text-align: center;">✓</p>
<p><b>OFFICE OF JUSTICE PROGRAMS (OJP)</b></p> <p><u>Backlog reduction/elimination</u></p> <ul style="list-style-type: none"> <li>Respond to all requests that were filed during Calendar Years 2004 and 2005.</li> <li>Reduce the processing time for FOIA requests to twenty days as provided by the statute.</li> </ul> <p><u>Improving communications with requesters</u></p> <ul style="list-style-type: none"> <li>Inform requesters on the status of their requests if the due date is approaching and the request has not yet been processed, and to contact requester(s) immediately to clarify any unclear requests.</li> </ul> <p><u>Improve response time from the OJP bureaus and offices</u></p> <ul style="list-style-type: none"> <li>Receive responses from the OJP bureaus and offices within five days of receipt of the OGC search letter.</li> </ul>		<p style="text-align: center;">✓</p>

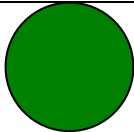
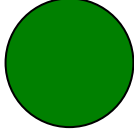
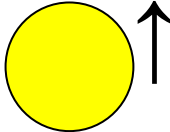
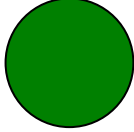




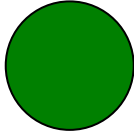

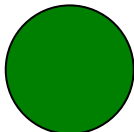

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<p><u>Politeness/courtesy</u></p> <ul style="list-style-type: none"><li>• Ensure that all telephone calls from requesters are responded to courteously and within twenty-four hours.</li></ul>		
<p><b>OFFICE OF LEGAL COUNSEL (OLC)</b></p>		
<p><u>Acknowledgment letters</u></p> <ul style="list-style-type: none"><li>• For requests involving a large quantity of records, implement a practice of informing requesters via acknowledgment letter that the request was received and that it might take longer than the twenty days to process it. This letter would be used only if we determine that a request would encompass a large quantity of documents that would take extra time to process.</li></ul>		
<p><u>Tracking capabilities</u></p> <ul style="list-style-type: none"><li>• Improve FOIA request status tracking to enable the FOIA Requester Service Center to respond appropriately to requester status calls.</li></ul>		
<p><u>Backlog reduction</u></p> <ul style="list-style-type: none"><li>• In order to reduce the backlog and minimize future backlogs, OLC will increase the staff working on FOIA requests, especially complex-laden and time-consuming ones.</li></ul>		
<p><b>OFFICE OF THE PARDON ATTORNEY (OPA)</b></p>		
<p><u>FOIA Web site improvement/Proactive disclosure of information</u></p> <ul style="list-style-type: none"><li>• Provide up-to-date and accurate information to the Web site user.</li></ul>		

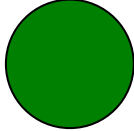
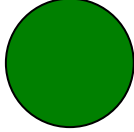
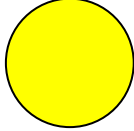


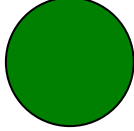
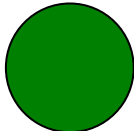
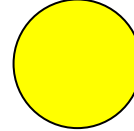


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<p><u>Electronic FOIA – receiving/responding to requests electronically</u></p> <ul style="list-style-type: none"> <li>• Receive and respond to requests electronically.</li> </ul> <p><u>Customer service</u></p> <ul style="list-style-type: none"> <li>• Provide training and orientation to FOIA operation personnel to ensure our continued professional delivery of customer service.</li> </ul> <p><u>Timeliness</u></p> <ul style="list-style-type: none"> <li>• Improve the timeliness of responses to the very small number of FOIA requests that are not responded to within the statutory time-frame.</li> </ul>	  	  
<b>OFFICE OF PROFESSIONAL RESPONSIBILITY (OPR)</b>		
<p><u>Affirmative disclosure of subsection (a)(2) material</u></p> <ul style="list-style-type: none"> <li>• Institute an initiative to ensure full implementation of the requirements of subsection (a)(2).</li> </ul>		
<p><u>Proactive disclosure of information</u></p> <ul style="list-style-type: none"> <li>• Provide the public with access to information pertaining to or utilized by OPR in carrying out its responsibilities.</li> </ul>		
<p><u>Automated tracking capabilities</u></p> <ul style="list-style-type: none"> <li>• Add an additional field to OPR’s FOIA tracking system and establish computer link for FOIA Requester Service Center personnel to ensure that information concerning the status of requests is readily available for requester inquiries.</li> </ul>		
<p><u>Conduct review of expedited processing</u></p>		

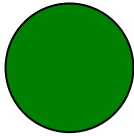
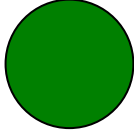
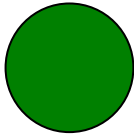
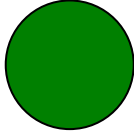
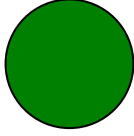



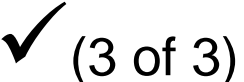
# DEPARTMENT OF JUSTICE

<ul style="list-style-type: none"> <li>• Ensure that OPR is properly handling requests for expedited processing.</li> </ul> <p><u>Backlog-reduction review and analysis of complex requests</u></p> <ul style="list-style-type: none"> <li>• Conduct a study of three years' worth of data for requests in the complex processing track to analyze areas to improve processing time.</li> </ul> <p><u>Politeness/courtesy</u></p> <ul style="list-style-type: none"> <li>• Provide training for FOIA Requester Service Center personnel to ensure that calls from FOIA requesters and the public are handled accurately and in a professional and courteous manner.</li> </ul> <p><u>Improve communications with requesters</u></p> <ul style="list-style-type: none"> <li>• Implement the inclusion of the FOIA request number and OPR's telephone number in all correspondence.</li> </ul>	   	   
<b>OFFICE OF SOLICITOR GENERAL (OSG)</b>		
<p><u>Customer service</u></p> <ul style="list-style-type: none"> <li>• Provide training and orientation to the OSG FOIA staff to ensure our continued professional delivery of customer service.</li> </ul>		
<p><u>FOIA Web site improvement</u></p> <ul style="list-style-type: none"> <li>• Improve OSG's FOIA Web page in order to provide more information to the public.</li> </ul>		

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<p><b>OFFICE OF VIOLENCE AGAINST WOMEN (OVW)</b></p> <p><u>Overall FOIA Web site improvement</u></p> <ul style="list-style-type: none"><li>• Make OVW information easier to find so that people can get what they need from the Web site rather than have to submit a FOIA request for the information.</li></ul> <p><u>Acknowledgment letters</u></p> <ul style="list-style-type: none"><li>• Develop FOIA acknowledgment postcards to send in response to all FOIA requests to acknowledge receipt and provide an estimated time-frame for response (if appropriate).</li></ul> <p><u>Additional training</u></p> <ul style="list-style-type: none"><li>• Provide FOIA training to two additional staff members in order to develop and enhance understanding of the FOIA process.</li></ul>	  	 
<p><b>PROFESSIONAL RESPONSIBILITY ADVISORY OFFICE (PRAO)</b></p> <p><u>Electronic FOIA – automated processing</u></p> <ul style="list-style-type: none"><li>• Establish the capability to process FOIA request records electronically.</li></ul> <p><u>Politeness/courtesy</u></p> <ul style="list-style-type: none"><li>• PRAO recognizes the importance of politeness and courtesy when dealing with FOIA requesters, and while PRAO believes prior communications have met this standard, PRAO will endeavor to excel in this important aspect of the “customer-service” policy of the Executive Order.</li></ul> <p><u>Additional training</u></p>	  	 

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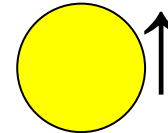
<ul style="list-style-type: none"><li>• Ensure that PRAO is taking full advantage of the governmentwide FOIA training that is available.</li></ul> <p><u>In-house training on “safeguarding label”/FOIA exemption distinctions</u></p> <ul style="list-style-type: none"><li>• Increase staff awareness of the appropriate use of “safeguarding labels” and its relationship to FOIA-processing decisions.</li></ul> <p><b>TAX DIVISION</b></p> <p><u>Processing of complex requests</u></p> <ul style="list-style-type: none"><li>• With respect to complex requests, the Tax Division will cut its response time by six percent within approximately one year, and by another six percent within the next year.</li><li>• Process complex requests within 20 – 24 median days.</li></ul> <p><u>Training</u></p> <ul style="list-style-type: none"><li>• Provide FOIA training to new paralegal specialist.</li></ul> <p><u>Customer service</u></p> <ul style="list-style-type: none"><li>• Train FOIA Requester Service Center staff on how to respond to service center calls.</li></ul> <p><b>UNITED STATES MARSHALS SERVICE (USMS)</b></p> <p><u>Customer service</u></p> <ul style="list-style-type: none"><li>• Improve automated tracking of status of requests and responses to requesters.</li><li>• Ensure that FOIA personnel receive training on courtesy and customer service.</li></ul>	    	   
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- Improve written communications with requesters.

## Reduce backlog and improving efficiency

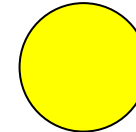
- Determine automated processing system to be implemented.
- Enhance efficiency and effectiveness of the multi-track processing system.
- Reduce median processing time for each track by twenty-five percent.
- Improve handling of consultations and referrals.
- Improve cooperation and FOIA training of program personnel.
- Improve search procedures.



✓ (4 of 4)

## Electronic access and affirmative disclosure

- Take initiative to ensure full implementation of the requirements of subsection (a)(2).
- Improve FOIA Web site.



## **UNITED STATES PAROLE COMMISSION**

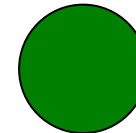
### Recruitment

- Hire additional personnel through contracts and/or student personnel.
- Hire a FOIA Officer at a higher pay grade.



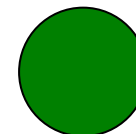
### Technology improvements

- Explore improvement to software to allow for clearer statistical reports and to make system more user-friendly.



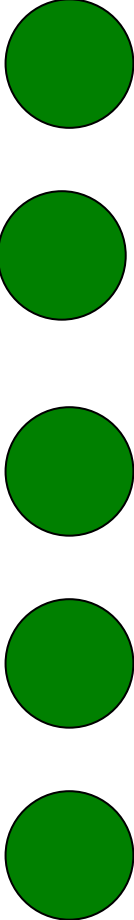

### Improving multi-track processing

- Create an additional track to improve efficiency and reduce backlog.

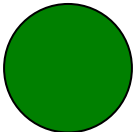
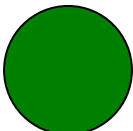
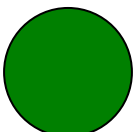
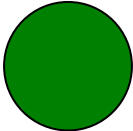





# DEPARTMENT OF JUSTICE

	<p><u>Customer relations/Communications</u></p> <ul style="list-style-type: none"><li>• Communicate with requesters on a more frequent basis and improve quality of telephone interactions</li></ul> <p><u>Improve written communications with requesters</u></p> <ul style="list-style-type: none"><li>• Issue new model letters to be used on a regular basis.</li></ul> <p><u>Training</u></p> <ul style="list-style-type: none"><li>• Provide training to FOIA processors and conduct quarterly meetings with staff.</li></ul> <p><u>Recordkeeping</u></p> <ul style="list-style-type: none"><li>• Implement a schedule for disposal of old records and preparing for new records.</li></ul> <p><u>Backlog reduction</u></p> <ul style="list-style-type: none"><li>• Reduce the number of backlogged requests by fifty percent.</li></ul>		
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# DEPARTMENT OF LABOR

	Improvement Area	Progress	Goal Completed
<p><b>FOIA OPERATIONS</b></p> <p><b>Chief FOIA Officer:</b></p> <p>Mr. Robert A. Shapiro</p> <p><b>Public Liaison:</b></p> <p>Ms. Barbara Bingham</p> <p><b>FOIA Requester Service Center:</b></p> <p>19</p>	<p><u>Improve Communication with Requesters</u></p> <ul style="list-style-type: none"> <li>• Outreach to the Requester community and Solicitation of Input: The Department of Labor will seek to improve its FOIA programs by encouraging members of the requester community to offer any suggestions that they may have to improve the quality and efficiency of the Department's FOIA efforts.</li> <li>• Acknowledgment Letters: All DOL agencies will send written acknowledgement letters to requesters acknowledging receipt of FOIA requests, except when a substantive response is expected to be issued within a week. Acknowledgment letters will include agency contact points and, when feasible and appropriate, information on whether requests must be referred and an estimated response time.</li> </ul> <p><u>Increase Web Presence and Proactive Disclosure</u></p> <ul style="list-style-type: none"> <li>• Improve DOL Web site Information on FOIA: The Department and individual agencies should provide clear and up-to-date information on how and where to submit FOIA requests and appeals to the Department and its various components. Links should be available to current versions of guidance from the Department of Justice on FOIA and other information sources.</li> <li>• Required Affirmative Disclosure: Agencies will develop and implement a plan to ensure that they will systematically review their FOIA requests to identify frequently requested records, as well as agency decisions, policies, and guidance, and ensure that, where required by law, appropriate documents are posted on the web.</li> </ul>	<p style="text-align: center;"></p> <p style="text-align: center;"></p> <p style="text-align: center;"></p> <p style="text-align: center;"></p>	<p style="text-align: center;"></p>

# DEPARTMENT OF LABOR

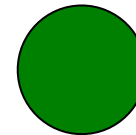
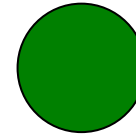
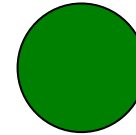
- Proactive Disclosure: In some cases, agencies can avoid FOIA requests and the resulting burdens and administrative costs by increased posting of documents on the web that are likely to be of interest to the public, even though the posting of such documents is not legally required. Under appropriate circumstances, these postings may include, for example, program statistics or other information about enforcement or claims activity, information about Department grantees or contractors, certain portions of existing internal case tracking systems, Departmental budget and audit information, and other releasable information of interest to the public. Agencies should review their posting of such documents and seriously consider increasing their web postings. It is recognized, however, that the posting of these documents raises some difficult issues because of the volume of these materials and their diversity and complexity.

## Improve FOIA Tracking and Control Systems

- The Department needs to examine systematically the special needs of FOIA and the special requirements of DOL agencies to see whether it can improve its methods of tracking FOIA requests and more fully meet the needs of FOIA requesters and DOL agencies.

## Consider Increased Use of Electronic Tools in FOIA Processing

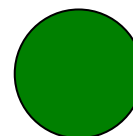
- Each agency, with respect to initial requests, and the Office of the Solicitor, with respect to appeals, should review the principal areas where they may benefit from automation, drawing, in part, upon any information that may be developed in the study under Section III. To the extent that an agency already has resources or equipment for automation (i.e., scanners, redacting software, etc.), it should consider whether these resources can be shared or used more systematically and effectively.



# DEPARTMENT OF LABOR

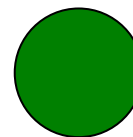
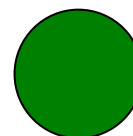
## Encourage and Improve Multi-track Processing and Expedited Processing

- Agencies that do not currently multi-track should determine if a multi-track process should be established and what number of tracks would be sufficient. If a multi-track system is in place, the agency should review its functionality, determine if the tracks are sufficient and whether the delineation between tracks is clear, and develop the changes it deems appropriate to maximize fairness and efficiency. Agencies should also review their handling of expedited requests.



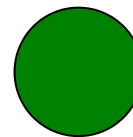
## Increase Appeals Processing Capacity, Backlog Reduction and Improve Timeliness

- Initial Requests: Agencies will develop and implement a system to monitor backlogs on a real-time basis. They will report to the Chief FOIA Officer the steps they have taken to assure the early detection of growing backlogs and the development of any timeliness issues. They will regularly report their backlogs to the Chief FOIA Officer.
- Appeals: To increase the number of appeals adjudicated by the Department's FOIA appeals unit (273 appeals pending for more than 30 days as of April 30, 2006 with an average of 17 appeals closed each month for CY 2005), the Department will systematically increase from its 2005 baseline the number of appeals completed and closed.



## Enhance Staff Expertise and Training

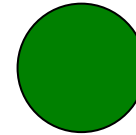
- Formal Training and Meetings: Each agency shall establish a plan to ensure that 100 percent of its identified FOIA staff has the opportunity to receive adequate FOIA training. Where agency resources are limited, the agency will work with the



## DEPARTMENT OF LABOR

Chief FOIA Officer to identify low-cost options, such as FOIA training DVDs. In addition, regular meetings of DOL FOIA Service Center Staff will be held so that there will be an opportunity to share lessons learned and help identify best FOIA practices.

- Make Resource Material More Readily Available: Agencies should make resource materials more readily available to staff working on FOIA matters.



# DEPARTMENT OF STATE

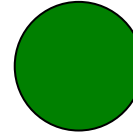
	Improvement Area	Progress	Goal Completed
<p><b>FOIA OPERATIONS</b></p> <p><b>Chief FOIA Officer:</b> Mr. Rajkumar Chellaraj</p> <p><b>Public Liaison:</b> Mr. Patrick D. Scholl</p> <p><b>FOIA Requester Service Center:</b> 202-261-8484</p>	<p><u>Customer Service</u></p> <ul style="list-style-type: none"> <li>• Develop customer service standards.</li> <li>• Improve content of and response times for acknowledging requests and answering status inquiries.</li> </ul> <p><u>Informing Public About FOIA Process</u></p> <ul style="list-style-type: none"> <li>• Find ways to improve website based on customer preferences.</li> </ul> <p><u>Use of Information Technology (IT)</u></p> <ul style="list-style-type: none"> <li>• Examine methods for disclosing information in electronic format according to customer request.</li> </ul> <p><u>Backlog Reduction<sup>1</sup></u></p> <ul style="list-style-type: none"> <li>• Short-term project to achieve 35 percent reduction in projected end-of-FY'06 backlog of FOIA/PA requests made directly to Department (not including referrals from other agencies).</li> <li>• Evaluate production rates in order to identify what a reasonable backlog of requests is, and then determine the specific resources needed to reduce and maintain the backlog at that level.</li> </ul>	<p style="text-align: center;">●</p> <p style="text-align: center;">●</p> <p style="text-align: center;">●</p> <p style="text-align: center;">●</p>	<p style="text-align: center;">✓</p>

<sup>1</sup> The State Department reported an increase in their backlog during FY06. However, they were able to make a significant reduction in the number of pending requests in the subsequent months.

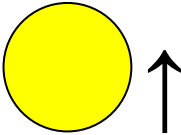

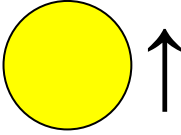

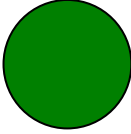

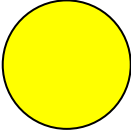
# DEPARTMENT OF STATE

## Troubleshooting Other Problems – Improving Data Integrity And Business Process

- Establish standards for data integrity for the automated case tracking system and ensure that all employees and supervisors understand and maintain those standards.
- Streamline and standardize FOIA business processes, and ensure that all employees and supervisors are trained on ocesses and their proper implementation.

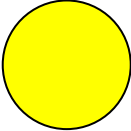
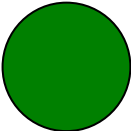
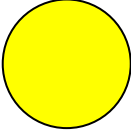
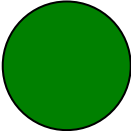




# DEPARTMENT OF TRANSPORTATION

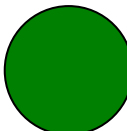
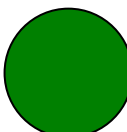
	Improvement Area	Progress	Goal Completed
<p><b>FOIA OPERATIONS</b></p> <p><b>Chief FOIA Officer:</b></p> <p>Ms. Rosalind A. Knapp</p> <p><b>Public Liaison:</b></p> <p>13</p> <p><b>FOIA Requester Service Center:</b></p> <p>27</p>	<p><u>Affirmative disclosure under subsection (a)(2) and proactive disclosure of information</u></p> <ul style="list-style-type: none"> <li>Credit card holder listings will be posted on each OA's FOIA website (including all HQ and field locations) by 11/30/06.</li> </ul>		
	<p><u>Improvements to FOIA websites and FOIA reference guides</u></p> <ul style="list-style-type: none"> <li>Need to be customer-friendly and up-to-date. Review to determine if updates/improvements need to be made; implement updates/improvements.</li> </ul>		
	<p><u>Automated tracking systems</u></p> <ul style="list-style-type: none"> <li>The PHMSA and OST need to install new FOIA tracking systems. The PHMSA is well on its way to acquiring and installing an updated automated tracking system. The agency has aggressively researched and selected a new automated tracking system. After executing a Memorandum of Agreement, and pilot testing the new system, PHMSA will operate the new system by 9/30/06.</li> </ul>		
	<p><u>Electronic FOIA – electronic payment of FOIA fees</u></p> <ul style="list-style-type: none"> <li>Offer all requesters the opportunity to pay electronically (through pay.gov). Four of the OAs (FRA, OIG, MARAD, and NHTSA) already offer electronic payment of FOIA fees. Our goal is to have all Departmental FOIA offices offer requesters that opportunity by 6/30/07. Two additional OAs (FAA and PHMSA) have accounts with pay.gov, although not yet specific accounts for FOIA payments.</li> </ul>		



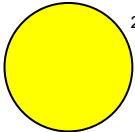
# DEPARTMENT OF TRANSPORTATION

<p><u>Multi-track processing</u></p> <ul style="list-style-type: none"><li>• The Departmental FOIA office will conduct an in-depth review to glean best practices regarding (a) the different types of tracks used, (b) the distinctions between the tracks, and (c) educating requesters about the same.</li></ul> <p><u>Expedited processing</u></p> <ul style="list-style-type: none"><li>• Hold meeting to discuss requirements of expedited processing; establish “best practices” guidance; measure number of days it takes to process requests which are granted expedited processing.</li></ul> <p><u>Backlog reduction/elimination</u></p> <ul style="list-style-type: none"><li>• Schedule for closing out FOIA requests from previous fiscal years (FY 2005 and earlier).</li></ul> <p><u>Acknowledgment letters and other forms of communication with requesters</u></p> <ul style="list-style-type: none"><li>• Forms of communication with requesters. The majority of the OAs routinely communicate with requesters via telephone. The FAA encourages their FOIA offices to acknowledge FOIA requests in the same way the request was submitted (e.g., if a requester e-mails a FOIA request, the acknowledgment would be sent via e-mail).</li><li>• Acknowledgment letters. Effective 6/30/06, all acknowledgment letters from all Departmental FOIA offices (HQ and field) will have a telephone contact number provided. Many of the FOIA offices are already doing this. This is a best practice passed along to the offices not already doing so.</li></ul>	   	 
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# DEPARTMENT OF TRANSPORTATION

	<p><u>Training (including politeness and courtesy training)</u></p> <ul style="list-style-type: none"><li>• Departmental FOIA Officer will arrange various training “mini-sessions” for FOIA and program staff. Meeting notes will be sent out within 1 week of each training session to all FOIA contacts throughout the Department.</li></ul> <p><u>Centralization/decentralization – organization structure</u></p> <ul style="list-style-type: none"><li>• Based on the review, the DOT Chief FOIA Officer determined that two OAs should examine the organizational structure of their FOIA programs to ensure maximum effectiveness, including consistency in administering the FOIA throughout the OA.</li></ul>	 	
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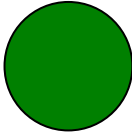
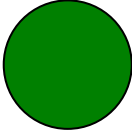
# DEPARTMENT OF THE TREASURY

	Improvement Area	Progress	Goal Completed
<p><b>FOIA OPERATIONS</b></p> <p><b>Chief FOIA Officer:</b></p> <p>Mr. Wesley T. Foster</p> <p><b>Public Liaison:</b></p> <p>3</p> <p><b>FOIA Requester Service Center:</b></p> <p>10</p>	<p><u>Backlog Reduction</u><sup>1</sup></p> <ul style="list-style-type: none"> <li>• Department Offices: reduce backlog by 10%.</li> <li>• Other Treasury Bureaus: reduce backlog by 10%.</li> </ul>		

<sup>1</sup> The Treasury Department's only improvement area is backlog reduction. The target completion date for this goal is December 31, 2007 for all divisions within the Department. However, each division had several milestones with completion dates within this reporting period. Also, while not itemized in its improvement plan, the Department did undertake several steps toward acquiring online redaction software.

<sup>2</sup> The majority of bureaus within the Department did not report a deficiency. The Department reported that two bureaus, the Office of Thrift Supervision and the Financial Crimes Enforcement Network (FinCEN), did not meet their milestone of a 5% reduction in backlog by December 31, 2006. Subsequently, FinCEN achieved substantial backlog reductions.

# DEPARTMENT OF VETERANS AFFAIRS

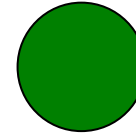
	Improvement Area	Progress	Goal Completed
<p><b>FOIA OPERATIONS</b></p> <p><b>Chief FOIA Officer:</b> Ms. Sally Wallace</p> <p><b>Public Liaison:</b> 5</p> <p><b>FOIA Requester Service Center:</b> 26</p>	<p><u>FOIA Organization Structure</u></p> <ul style="list-style-type: none"> <li>An Acting VA Chief FOIA Officer has been designated and FOIA Requester Service Centers and Public Liaisons have been established. VA FOIA processing is decentralized, however, modifying the existing organizational structure and establishing a FOIA Office within the agency will improve FOIA processing through development of top-to-bottom accountability and reporting, which will allow active management oversight and intra-agency communication. Currently, most VA FOIA Officers perform their FOIA responsibilities as a collateral duty. They gather requested records and are often the subject-matter experts who process the request as promptly as possible. The planned improvements will provide customers and the FOIA Public Liaisons with a central point of contact for all VA FOIA matters for the agency. This will require an agency commitment to invest the appropriate resources for aligning staff, investing in new technology, and training.</li> </ul> <p><u>FOIA Governance</u></p> <ul style="list-style-type: none"> <li>VA regulations, guidelines and handbooks need to be updated. The regulations predate the Electronic FOIA Amendments of 1996, and the current handbook was written in 1998. Therefore, VA currently does not have written departmental guidance on multi-track or expedited processing. The regulations and policies need to be updated to address the E-FOIA Amendments, as well as the changes in procedure specified in the plan. In addition to examining guidelines and policy, an analysis of staffing levels and position descriptions of FOIA personnel is needed. Improvements will standardize VA FOIA practices, incorporate FOIA functions into position descriptions and clearly identify staffing needs.</li> </ul>	<p style="text-align: center;"></p> <p style="text-align: center;"></p>	

# DEPARTMENT OF VETERANS AFFAIRS

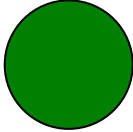
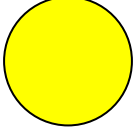
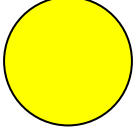

## FOIA Backlog Reduction

- In compliance with the affirmative disclosure under subsection (a)(2) of the FOIA, VA on the FOIA web-sites policy statements, staff manuals and instructions to staff, and final agency opinions. Customarily, when VA has public information that does not fall into any subsection (a)(2) category but nevertheless could be made readily available to the public, including through posting on the web-site, such proactive disclosure can reduce the need for the making of FOIA requests. A centralized FOIA tracking system, as discussed in the Automation & Technology section, would permit easy identification of frequently requested materials properly posted in the FOIA electronic reading room. This may reduce the backlog by permitting FOIA officers to direct the customers to the web-site.

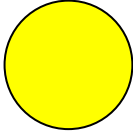
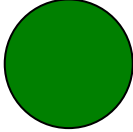
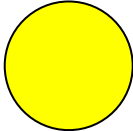
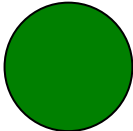


The backlog consists of requests pending for longer than the twenty-day statutory time limit for responding to a request for records. Many of the requests received at VA's central office must be redirected to the VA office that maintains custody of the records. Most FOIA requests are generally processed promptly, but there are requests that require coordination/ consultation with multiple VA Offices, departments, and other agencies. Some organizations within VA have FOIA officers that perform these functions as collateral duties, which can be a contributing factor to the backlog. If a determination is made that the workload would justify converting FOIA Officer's duties from a collateral assignment, a decision may be to authorize staff to perform the FOIA function full-time. Inadequate training of newly appointed FOIA Officers may contribute to the backlog as well.



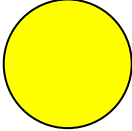
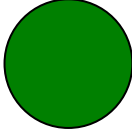

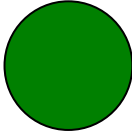

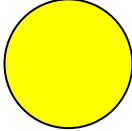
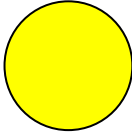
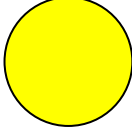
# AGENCY FOR INTERNATIONAL DEVELOPMENT

	Improvement Area	Progress	Goal Completed
<p><b>FOIA OPERATIONS</b></p> <p><b>Chief FOIA Officer:</b> Ambassador Mosina Jordan</p> <p><b>Public Liaison:</b> Ms. J.M. Paskar</p> <p><b>FOIA Requester Service Center:</b> 202-712-5007</p>	<p><u>Acknowledgment Letters/Notifications</u></p> <ul style="list-style-type: none"> <li>USAID internal operating procedures require that an acknowledgment letter/notification be sent to the requester within two to four days, depending on the complexity of the letter. This requirement is not being met. The goal of this activity is to improve performance in the timely transmittal of acknowledgment letters/notification.</li> </ul> <p><u>Backlog Reduction/Elimination</u></p> <ul style="list-style-type: none"> <li>There is a backlog of requests that were received prior to FY 2005. In the USAID FY 2005 Annual FOIA Report, USAID reported a backlog of 469 requests. 260 of those requests were received prior to FY 2005. The universe of pre-FY 2005 cases for this project is now 234 cases. The goal of this activity is to eliminate the backlogged pre-FY 2005 cases. A combination of FOIA Team staff, Agency volunteers, and contractor assistance will be used to accomplish this project.</li> </ul> <p><u>FOIA Website Improvements</u></p> <ul style="list-style-type: none"> <li>A complete review of the informational sources and links contained in the FOIA Website has not been conducted since the initiation of the website. A cursory review has determined that there are invalid links that have to be changed or eliminated. Missing links to sources of USAID information of current wide-spread interest have to be established. An information searching/decision tree must be developed to assist the public and the media by directing them to Agency Public Affairs Specialists who may be able to locate and provide the required information without filing a FOIA request.</li> </ul>	<p style="text-align: center;"></p> <p style="text-align: center;"></p> <p style="text-align: center;"></p>	<p style="text-align: center;"></p>

# AGENCY FOR INTERNATIONAL DEVELOPMENT

<p><u>Obtain FOIA Contractor Assistance</u></p> <ul style="list-style-type: none"><li>The USAID FOIA program has been overwhelmed by the deluge of requests since the start of the war in Iraq. Additional resources are needed to meet the challenge.</li></ul> <p><u>Purchase and Installation of FOIA System</u></p> <ul style="list-style-type: none"><li>USAID currently maintains limited FOIA tracking information in an ACCESS-based database. Systems currently exist that will assist in request tracking, case management, and developing interim response letters among other functionalities. Based upon a requirement analysis performed in 2006 and pending appropriated funding, USAID plans to purchase and install a FOIA COTS program prior to December 31, 2006.</li></ul> <p><u>Update Reference Guide to USAID Information</u></p> <ul style="list-style-type: none"><li>The USAID FOIA Reference Guide must be updated. Currently, sources of information that no longer exist or are no longer of current interest are listed. New relevant sources of information must be added.</li></ul> <p><u>Program Personnel and FOIA Contact Officer Outreach</u></p> <ul style="list-style-type: none"><li>Agency staff is not sensitive to the importance of the FOIA and does not completely understand their responsibilities. The FOIA staff relies upon FOIA Contact Officers who serve as intermediaries with program personnel and obtain responsive records from their bureaus. The goals of this improvement activity are to improve the Agency staff's sensitivity to the importance of the FOIA; impart to the bureaus the importance of the FOIA Contact Officer's role; and to train the FOIA Contact Officers.</li></ul>	<p></p> <p></p> <p></p> <p></p>	<p></p> <p></p>
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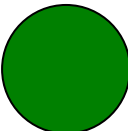
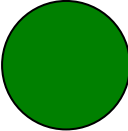
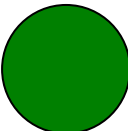


# CENTRAL INTELLIGENCE AGENCY

	Improvement Area	Progress	Goal Completed
<p><b>FOIA OPERATIONS</b></p> <p><b>Chief FOIA Officer:</b></p> <p>Mr. Adolfo Tarasiuk, Jr.</p> <p><b>Public Liaison:</b></p> <p>Mr. Herbert Briick</p> <p>Mr. Scott Koch</p> <p><b>FOIA Requester Service Center:</b></p> <p>703-613-1287</p>	<p><u>Automated electronic FOIA tracking and documentation system</u></p> <ul style="list-style-type: none"> <li>Have a more stable and functional electronic system for processing FOIA cases.</li> </ul>		
	<p><u>Overall website improvement</u></p> <ul style="list-style-type: none"> <li>Make it easier for the public to locate information on the FOIA website site, and provide links to the FOIA websites of other agencies.</li> </ul>		
	<p><u>Proactive disclosure of information</u></p> <ul style="list-style-type: none"> <li>Add additional documents and collections to the CIA website.</li> </ul>		
	<p><u>Reducing the backlog<sup>1</sup></u></p> <ul style="list-style-type: none"> <li>Reduce the overall backlog of cases, and within that goal, to address the oldest cases.</li> </ul>		
	<p><u>Forms of communication with requesters</u></p> <ul style="list-style-type: none"> <li>Revise correspondence with requesters to make its responses easier to understand.</li> </ul>		
	<p><u>Tracking the progress of cases</u></p> <ul style="list-style-type: none"> <li>Institute more intensive monitoring of the status of each FOIA case by implementing new procedures and technologies.</li> </ul>		

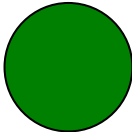
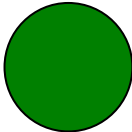
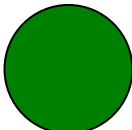
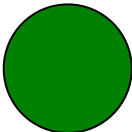

<sup>1</sup> The CIA had two distinct milestones under this goal. The first milestone of closing 25% of the oldest cases by October 31, 2006 was exceeded. The CIA reported that they were able to close 40% of the oldest cases. The agency, however, was only able to reduce its overall backlog by 8%, falling short of its 10% reduction milestone.



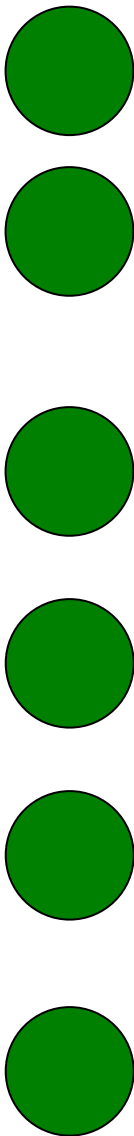

# ENVIRONMENTAL PROTECTION AGENCY

	Improvement Area	Progress	Goal Completed
<p><b>FOIA OPERATIONS</b></p> <p><b>Chief FOIA Officer:</b></p> <p>Ms. Linda Travers</p> <p><b>Public Liaison:</b></p> <p>Mr. Larry F. Gottesman</p> <p><b>FOIA Requester Service Center:</b></p> <p>202-564-7969</p>	<p><u>Electronic Payment of FOIA Fees</u></p> <ul style="list-style-type: none"> <li>EPA is working with the U.S. Department of the Treasury to allow FOIA requesters to pay fees electronically.</li> </ul> <p><u>FOIA Web Site Improvement</u></p> <ul style="list-style-type: none"> <li>The Agency will undertake a comprehensive review of its FOIA web site to make it more user-friendly and informative.</li> </ul> <p><u>Backlog Reduction</u></p> <ul style="list-style-type: none"> <li>The Agency has determined that its present backlog of FOIA request responses is not acceptable, in spite of the fact that EPA reduced the backlog of 23,514 overdue requests in July 2001 by over 90 percent, to approximately 2,000 overdue requests. The Agency will continue to identify additional ways to further reduce the backlog.</li> </ul>	<p style="text-align: center;"></p> <p style="text-align: center;"></p> <p style="text-align: center;"></p>	<p style="text-align: center;"></p> <p style="text-align: center;"></p>

# GENERAL SERVICES ADMINISTRATION

	Improvement Area	Progress	Goal Completed
<p><b>FOIA OPERATIONS</b></p> <p><b>Chief FOIA Officer:</b></p> <p>Mr. Edward N. Blakely, Jr.</p> <p><b>Public Liaison:</b></p> <p>Mr. James M. Krol</p> <p><b>FOIA Requester Service Center:</b></p> <p>202-501-2262 202-219-1603</p>	<p><u>Affirmative disclosure of information by creating a Webpage to store common requests</u></p> <ul style="list-style-type: none"> <li>Reduce the number of FOIA requests by creating an area on gsa.gov to store documents that are repetitively requested.</li> </ul> <p><u>Proactive disclosure of information to reduce the number of Task Order FOIA requests</u></p> <ul style="list-style-type: none"> <li>Reduce the number of Task Order Purchase Agreement FOIA requests by posting greater information on gsa.gov about the limitations on what the agency can, or cannot, release.</li> </ul> <p><u>Improve FOIA Website content to provide greater information to requestors and reduce the number of requests</u></p> <ul style="list-style-type: none"> <li>By making content improvements and adding additional GSA and federal links to gsa.gov, the agency can direct common FOIA requestors to gsa.gov to answer requests faster and reduce the number of requests.</li> </ul> <p><u>Implement an automated tracking system to capture all agency-wide FOIA information</u></p> <ul style="list-style-type: none"> <li>Implement a tracking system to create a centralized location to collect information on all of GSA's FOIA requests, and then establish baselines for processing times, fees collected, and uniformity among responses.</li> </ul>	      	

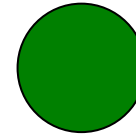
# GENERAL SERVICES ADMINISTRATION

<p><u>Develop a best practices pamphlet to create standards for politeness and courtesy when dealing with requesters</u></p> <ul style="list-style-type: none"><li>• Increase politeness and courtesy in responding to FOIA requests.</li></ul> <p><u>Send out acknowledgment letters to requestors</u></p> <ul style="list-style-type: none"><li>• Inform FOIA requestors that their requests have been received by the agency.</li></ul> <p><u>Improve the process by which necessary cooperation is obtained from agency program personnel by creating a key contact list</u></p> <ul style="list-style-type: none"><li>• Improve communication throughout the agency by creating a contact list of all key agency FOIA contacts.</li></ul> <p><u>Capture improvement ideas from field office personnel</u></p> <ul style="list-style-type: none"><li>• Assist the FOIA community at GSA to develop and exchange ideas.</li></ul> <p><u>Increase informal training for employees by providing better online resources</u></p> <ul style="list-style-type: none"><li>• Create an educational campaign for GSA employees to educate them on FOIA.</li></ul> <p><u>Increase Central Office staffing</u></p> <ul style="list-style-type: none"><li>• Add staffing to the FOIA Requester Center to ensure it is appropriately staffed.</li></ul>		
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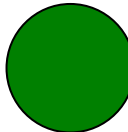
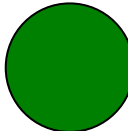
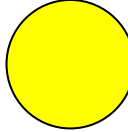
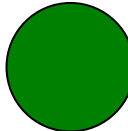


# GENERAL SERVICES ADMINISTRATION

Capture information at the Service Center from requestors regarding their FOIA experience at GSA to drive improvements

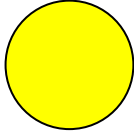
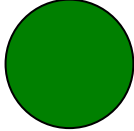
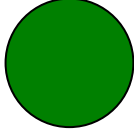
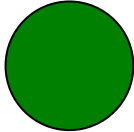


- Improve customer satisfaction by sending out satisfaction surveys to requestors.



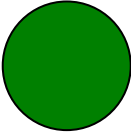

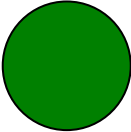
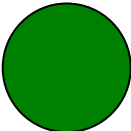

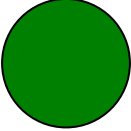
# NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

	Improvement Area	Progress	Goal Completed
<p><b>FOIA OPERATIONS</b></p> <p><b>Chief FOIA Officer:</b></p> <p>Mr. David Mould</p> <p><b>Public Liaison:</b></p> <p>14</p> <p><b>FOIA Requester Service Center:</b></p> <p>13</p>	<p><u>FOIA Staffing</u></p> <ul style="list-style-type: none"> <li>This improvement is based on several factors: (a) eliminating single point failures at our NASA Centers; (b) ensure that all FOIA positions are primary jobs; (c) seek adequate administrative support for higher volume Center offices; (d) standardize staff personnel practices concerning series and grades.</li> </ul> <p><u>Equipment/Logistics</u></p> <ul style="list-style-type: none"> <li>Redaction software should be procured for each Center FOIA Requester Service Center and dedicated scanning support/equipment should be acquired for each Center office.</li> </ul> <p><u>Web Site Improvements</u></p> <ul style="list-style-type: none"> <li>Redeveloping NASA's FOIA Web page to enhance the public's knowledge of our FOIA process. Redesign all subordinate FOIA web pages to incorporate the 'portal' design. Finally, consolidate the NASA Electronic Reading Room from 13 sites into one.</li> </ul> <p><u>Agency FOIA Reference Handbook</u></p> <ul style="list-style-type: none"> <li>It has been over two years since the last update to our agency's FOIA Reference Handbook. The goal is to revise and update all agency information pertaining to its FOIA process including any changes or update directly related to Executive Order (EO) 13392. Download this handbook directly to our FOIA Web page.</li> </ul> <p><u>FOIA Database</u></p>	<p style="text-align: center;"></p> <p style="text-align: center;"></p> <p style="text-align: center;"></p> <p style="text-align: center;"></p>	<p style="text-align: center;"></p> <p style="text-align: center;"></p>

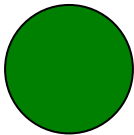
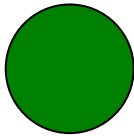
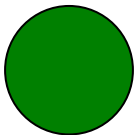
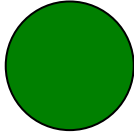


# NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

	<ul style="list-style-type: none"><li>• Replace current FileMaker Pro database with an established commercial-based system which will allow the public to access and track the current status of its FOIA request.</li></ul> <p><u>FOIA Training</u></p> <ul style="list-style-type: none"><li>• Implement an annual mandatory FOIA training program to be held in conjunction with the annual NASA FOIA Conference for all assigned FOIA information release specialists and their designated backups.</li></ul> <p><u>Communications</u></p> <ul style="list-style-type: none"><li>• Establish a toll free phone number for use by the public to contact the agency's FOIA Requester Service Center.</li></ul> <p><u>Backlog Reduction</u></p> <ul style="list-style-type: none"><li>• To reduce the existing backlog of pending FOIA requests by a substantial number each year, by periodically and consistently focusing on the existing backlog. We will identify the agency five (5) oldest FOIA requests at the beginning of each FY quarter and close those by the end of that FY quarter.</li></ul>	   	 
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# NATIONAL SCIENCE FOUNDATION

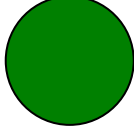

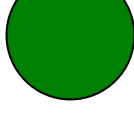



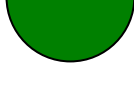

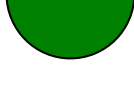





	Improvement Area	Progress	Goal Completed
<p><b>FOIA OPERATIONS</b></p> <p><b>Chief FOIA Officer:</b></p> <p>Mr. D. Matthew Powell</p> <p><b>Public Liaison:</b></p> <p>Ms. Leslie Jensen</p> <p><b>FOIA Requester Service Center:</b></p> <p>703-292-5065</p>	<p><u>Electronic Responses</u></p> <ul style="list-style-type: none"> <li>Process FOIA responses electronically. To enhance our ability to process records electronically we propose purchasing a copier/scanner to transform paper records to .PDF files; we will become more efficient by producing electronic files in the FOIA office.</li> </ul>		
	<p><u>Logging and Tracking</u></p> <ul style="list-style-type: none"> <li>FOIA log and tracking system. NSF currently utilizes an Excel document to log and track FOIA requests. We will investigate the purchase of a state of the art FOIA logging and tracking system.</li> </ul>		
	<p><u>Backlog Reduction</u></p> <ul style="list-style-type: none"> <li>NSF will monitor any requests pending for longer than the statutory time limit for responding to a request for records. We will analyze any such requests to determine whether there are any systematic changes in addition to these focus areas that might be made to reduce processing time.</li> </ul>		
	<p><u>Web site</u></p> <ul style="list-style-type: none"> <li>Review and improve the NSF FOIA web page.</li> </ul>		

# NUCLEAR REGULATORY COMMISSION

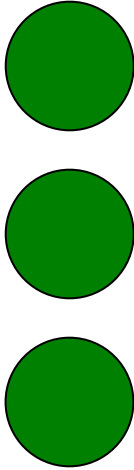

	Improvement Area	Progress	Goal Completed
<p><b>FOIA OPERATIONS</b></p> <p><b>Chief FOIA Officer:</b></p> <p>Ms. Jacqueline E. Silber</p> <p><b>Public Liaison:</b></p> <p>Mr. Russell A. Nichols</p> <p>Ms. Margie Janney</p> <p><b>FOIA Requester Service Center:</b></p> <p>301-415-7169</p>	<p><u>Backlog reduction</u></p> <ul style="list-style-type: none"> <li>The purpose of this improvement area is to reduce the processing time for FOIA requests. Improvements in areas 2 through 4 will also contribute to backlog reduction.</li> </ul> <p><u>Leverage the use of information technology</u></p> <ul style="list-style-type: none"> <li>The purpose of this improvement area is to acknowledge receipt of FOIA requests via email to the maximum extent possible, process requested records electronically by performing onscreen redactions, and provide final responses to requesters via email when they agree to receive them in electronic form.</li> </ul> <p><u>Improve expedited processing</u></p> <ul style="list-style-type: none"> <li>The purpose of this improvement area is to reduce the amount of time for addressing requests that are granted expedited processing status so that these requests are truly expedited.</li> </ul> <p><u>Update publications and Web site</u></p> <ul style="list-style-type: none"> <li>The purpose of this improvement area is to identify in NRC's publications and on its Web site examples of the types of documents for which NRC may invoke FOIA exemptions.</li> </ul>	<p style="text-align: center;"></p> <p style="text-align: center;"></p> <p style="text-align: center;"></p> <p style="text-align: center;"></p>	<p style="text-align: center;"></p> <p style="text-align: center;"></p>



# OFFICE OF PERSONNEL MANAGEMENT

	Improvement Area	Progress	Goal Completed
<p><b>FOIA OPERATIONS</b></p> <p><b>Chief FOIA Officer:</b></p> <p>Ms. Janet L. Barnes</p> <p><b>Public Liaison:</b></p> <p>Ms. Margaret A. Miller</p> <p><b>FOIA Requester Service Center:</b></p> <p>202-606-2150</p>	<p><u>Affirmative disclosure under subsection (a)(2) of the FOIA</u></p>		
	<ul style="list-style-type: none"> <li>Increase the amount of information disclosed on the OPM website <a href="http://www.opm.gov">www.opm.gov</a>.</li> </ul>		
	<p><u>Proactive disclosure of information</u></p>		
	<ul style="list-style-type: none"> <li>Strengthen OPM's FOIA processes for posting the most frequently requested records in OPM's electronic Reading Room.</li> </ul>		
	<p><u>Automated tracking capabilities</u></p>		
	<ul style="list-style-type: none"> <li>Improve workflow of FOIA requests.</li> </ul>		
	<p><u>Electronic FOIA -- automated processing</u></p>		
	<ul style="list-style-type: none"> <li>Develop the capability to produce electronic versions of mailed and faxed FOIA requests.</li> </ul>		
<p><u>Expedited processing</u></p>			
<ul style="list-style-type: none"> <li>Documents handling procedures for expedited processing of FOIA requests in FOIA Reference Guide.</li> </ul>			
<p><u>Backlog Reduction/Elimination</u></p>			
<ul style="list-style-type: none"> <li>Eliminate present FOIA backlog.</li> </ul>			
<p><u>Politeness/courtesy</u></p>			
<ul style="list-style-type: none"> <li>Improve politeness and courtesy to FOIA requesters.</li> </ul>			

# OFFICE OF PERSONNEL MANAGEMENT

	<p><u>Acknowledgement letters</u></p> <ul style="list-style-type: none"><li>• Send acknowledgement letters to all requesters regardless of method of receipt of FOIA requests.</li></ul> <p><u>Increased staffing (where applicable)</u></p> <ul style="list-style-type: none"><li>• Increase FOIA Service Center staff.</li></ul> <p><u>Improved internal communications within OPM about FOIA responsibilities</u></p> <ul style="list-style-type: none"><li>• Send semi-annual FOIA status report to OPM office heads.</li></ul>		
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# SMALL BUSINESS ADMINISTRATION

employees.

In addition to the online training, the in-house specialized training provided by the U.S. Department of Justice for Management Board and FOIA Public Liaisons and FOIA/SCRs will be available on compact disk.

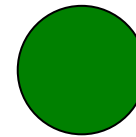
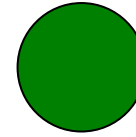
## FOIA Case Tracking System Training for all Public Liaisons and Service Center Representatives

- The FOI/PA Office deployed a web-based tracking system for all FOIA and Privacy Act inquiries received by the Agency nationwide. The system allows users to enter FOIA and PA request data and to track and update each step of processing from receipt to final determination. Use of the system is mandatory for all designated FOIA contact personnel.

The FOI/PA Office will conduct a FOIA Case Tracking System training session at the Headquarters to ensure that all SBA personnel assigned with FOIA duties have access to and expertise with the FOIA Case Tracking System. The training will be simulcast to field Public Liaisons and FOIA/SCRs. The training will also be made available on compact disk to all SBA personnel offices. One-on-one specialized assistance will be provided on an as needed basis.

## Redesign the FOIA Webpage

- The FOIA/PA website represents an increasingly important service that the Agency provides to the public. The website will continue to evolve in years ahead as technology advances, public information expands, and as the government continues to develop its online services, capabilities, and personnel. The FOI/PA Office will enhance and update the FOIA Homepage. Through this process, we will refine existing features and incorporate new features, as appropriate.



# SMALL BUSINESS ADMINISTRATION

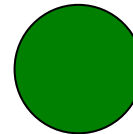
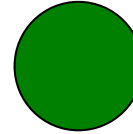
## Affirmative FOIA Disclosure

- The FOIA, as amended in 1996, requires agencies to post frequently requested records, policy statements, staff manuals and instructions to staff, and final agency opinions on their websites. It is a continuing obligation to ensure that frequently requested records are current and available from the FOIA Homepage.

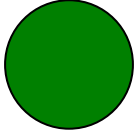

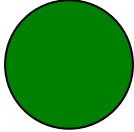

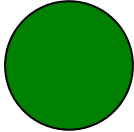

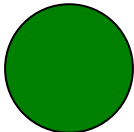


The FOI/PA Office will review the FOIA webpage to update and/or delete dated materials to ensure that information posted is current and available to the public.

## Revision of SBA's FOIA Reference Guide

- The FOI/PA Office will update the Agency's FOIA Reference Guide which is available on the Homepage.



# SOCIAL SECURITY ADMINISTRATION

	Improvement Area	Progress	Goal Completed
<p><b>FOIA OPERATIONS</b></p> <p><b>Chief FOIA Officer:</b></p> <p>Mr. Thomas W. Crawley</p> <p><b>Public Liaison:</b></p> <p>Mr. Jonathan R. Cantor Mr. William J. Polk</p> <p><b>FOIA Requester Service Center:</b></p> <p>410-965-1727 410-966-4034</p>	<p><u>Streamlining Operations</u></p> <ul style="list-style-type: none"> <li>Improve procedures and processes in assigning and reviewing work.</li> </ul>		
	<p><u>Systems Enhancement</u></p> <ul style="list-style-type: none"> <li>Improve procedures and processes in controlling, managing, and processing work.</li> </ul>		
	<p><u>Training</u></p> <ul style="list-style-type: none"> <li>Ensure that new FOIA analysts and new liaisons in other offices are trained in FOIA and older staff members receive update and enrichment training.</li> </ul>		
	<p><u>Backlogs</u></p> <ul style="list-style-type: none"> <li>Reduce the existing backlog of initial FOIA requests by a substantial percentage each year (<i>i.e.</i>, 5% by 1-15-07, another 5% by 1-15-08, and another 5% by 12-31-08, as measured by number of requests pending beyond the statutory time frames), by periodically and consistently focusing on the existing backlog.</li> <li>Close at least 90% of the ten oldest FOIA requests pending each year.</li> </ul>		 
	<p><u>Staffing</u></p> <ul style="list-style-type: none"> <li>Hire and maintain a highly qualified staff of analysts so that requests will be processed accurately in the shortest time possible.</li> </ul>	