



# United States Department of the Interior

OFFICE OF THE SECRETARY  
WASHINGTON, D.C. 20240



JUL 31 2007

Mr. Clay Johnson, III  
Deputy Director for Management  
Office of Management and Budget

Dear Mr. Johnson:

Enclosed is the Department of the Interior's (DOI) updated status report on the Executive Order deficiencies we reported in our FY 2006 Freedom of Information Act (FOIA) Annual Report. The report describes the steps we have taken, to date, to correct these deficiencies.

If you have any questions concerning DOI's report, please contact me at (202) 208-6194. Staff may contact Alexandra Mallus at (202) 208-5342 or Miriam Lam at (202) 208-2588, DOI FOIA Office.

Sincerely,

Michael Howell  
Chief FOIA Officer  
Chief Information Officer

Enclosure

**Status Report – Department of the Interior FOIA Deficiencies  
July 30, 2007**

**I. 1. Goal Area:**

**Goal II:** Eliminate FOIA Backlogs

**Objective:** Reduce and or eliminate backlogs in compliance with FOIA and Executive Order 13392

2. **Milestone:** By end of FY 2006, reduce Office of Inspector General (OIG) FOIA backlog by 25 percent (**Red scorecard item**)

**Original Target Date:** 09/30/06

**Extended Date:** 09/30/08  
(see FY 06 annual report and Amended Plan (dated 3/29/07))

3. **Steps completed:**

Actions taken to date:

To date, the Office of Inspector General (OIG) has reduced its FOIA backlog by 14 percent. As part of this remediation process, OIG staff met with the Chief FOIA Officer and conducted an assessment of their backlog. The OIG has committed to the following approach: the FOIA Officer is currently processing the 10 oldest backlogged requests in addition to handling the more complex requests. The OIG Information Specialist is currently processing the newer requests and some of the FOIA appeals. Additionally, an attorney has been assigned to assist the OIG FOIA Officer in reviewing its FOIA responses and an FTE has been delegated to provide administrative support to the FOIA team.

[Actions as reported to Office of Management and Budget (OMB) in May 31, 2007, memorandum from DOI's Chief FOIA Officer to Deputy Director for Management, Office of Management and Budget OMB):

The Office of the Inspector General (OIG) developed a comprehensive OIG FOIA Backlog Reduction Plan to aggressively address FOIA backlog reduction. The plan includes (a) reassigning less complex matters to other OIG personnel to focus limited senior expertise on the most difficult issues; (b) assigning two additional FTE to work part-time on FOIA matters; (c) identifying FOIA matters for which the requester is no longer interested and eliminating them from the system; (d) designating an FTE to provide support to the FOIA team, handling administrative matters regarding FOIA Express, to alleviate the FOIA Officer for more complex backlog matters; (e) seeking contract assistance,

assigning other personnel, and providing additional training as possible within the next fiscal year to complete FOIA reviews; and (f) focusing on reducing the number of new FOIA requests by promptly posting reports to the website.

4. **Future steps:**

The OIG anticipates meeting its 25 percent backlog reduction goal by the September 30, 2008, due date.

**DOI's Overall Backlog Reduction:**

**Steps completed.** The Department of the Interior has significantly reduced its FOIA backlog. DOI's backlog reduction plan was developed in February 2006 with a baseline of 1,400. As of July 10, 2007, DOI's FOIA backlog was reduced by approximately 50 percent. Bureaus/offices have been asked to review their FOIA backlogs on a monthly basis. Additionally, the DOI FOIA Office is monitoring the bureaus/offices backlog reduction efforts on a bimonthly basis. The DOI FOIA staff continues to work with bureaus/offices to analyze the cause for any existing backlogs and develop plans for remediation as appropriate. On July 24, 2007, modifications to the Department's electronic FOIA tracking system were implemented which enable Bureau/Office FOIA Officers to readily provide real-time "snapshots" of their backlogs.

[Actions as reported to OMB in May 31, 2007, memorandum from DOI's Chief FOIA Officer to Deputy Director for Management, OMB]:

In accordance with DOI's FOIA Plan, the DOI FOIA Office instituted Department-wide quarterly backlog reporting and monitoring--this was later changed to monthly reviews. The Office also issued reminders to users of Interior's Electronic FOIA Tracking System (EFTS) to 'complete' or 'close' FOIA requests in the system to provide an accurate account of the actual FOIA backlog. We met with the Bureau FOIA Officers for those areas targeted for backlog reduction (Office of the Inspector General, the U.S. Fish and Wildlife Service, and the Bureau of Indian Affairs) to address and resolve specific backlog issues. They each have backlog reduction goals which are set forth in DOI's FOIA Plan.

The DOI FOIA Office continues to track and report progress in correcting the deficiencies, including taking corrective actions that will result in streamlining the processes. We have completed an assessment of the FOIA request backlog for all bureaus and offices, including the Office of the Solicitor. We will develop remedial action plans for backlog reduction, as appropriate. Additionally, the DOI FOIA Office issued guidance to bureaus and offices requiring monthly reporting for FOIA backlogs and the development of plans for backlog reduction, if appropriate. We continue to meet with bureaus/offices, including the Office of the Solicitor, to determine remedial steps and action plans for reducing/eliminating the backlog in anticipation of the November 1,

2007 due date for posting Interior's backlog reduction goals to the Web. The DOI FOIA Office continues to work with bureaus/offices to address spikes in FOIA requests due to unforeseen circumstances, i.e., Hurricane Katrina.

**Future steps.** The DOI FOIA staff continues to work closely with bureau/office FOIA offices in an effort to reduce the Department's FOIA backlog. This includes monitoring bureaus/offices backlog reduction efforts on a bimonthly basis; working with bureaus/offices to analyze the cause for any existing backlogs and developing plans for remediation as appropriate. By November 1, 2007, the DOI will post on DOI's website backlog reduction goals for FY08, FY09, and FY10 for any bureau/office that has a backlog of FOIA requests at the end of FY07. This also applies to FOIA appeals.

II. 1. **Goal Area:**

**Goal IV:** Improve and Streamline FOIA Processing

**Objective:** 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.

2. **Milestone:** Issue position paper regarding streamlining approval process/signature authority for FOIA responses (**Red scorecard item**)

**Original Target Date:** 12/01/06

**Extended Date:** 09/30/07  
(see FY 06 annual report and Amended Plan (dated 3/29/07))

3. **Steps completed:**

Actions to date: As of July 18, input regarding streamlining the approval process/signature authority for FOIA responses has been received from all bureaus/offices. The DOI FOIA Office is currently in the process of reviewing the additional bureau submissions.

[Actions as reported to OMB in May 31, 2007, memorandum from DOI's Chief FOIA Officer to Deputy Director for Management, OMB]:

In addressing this objective and milestone, the DOI FOIA Office requested input from bureaus/offices regarding streamlining the approval process/signature authority for FOIA responses. The responses from seven bureaus and offices are currently being reviewed by the DOI FOIA Office. Additional input was requested from four other bureaus and offices.

4. **Future steps:**

The DOI FOIA Office expects to issue the final position paper on this issue by September 30, 2007.

III. 1. **Goal Area:**

**Goal IV:** Improve and Streamline FOIA Processing

**Objective:** 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.

2. **Milestone:** Discuss options for streamlining Solicitor reviews for certain categories of information/documents (**Red scorecard item**)

**Original Target Date:** 11/15/06

**Extended Date:** 07/31/07  
(see FY06 annual report and Amended Plan (dated 3/29/07))

Note: This milestone is a predecessor to the following milestones regarding streamlining Solicitor reviews:

- Decision made by 9/30/07
- Guidance issued if appropriate by 12/31/07

3. **Steps completed:** As of July 17, 2007, DOI has completed this milestone.

Actions taken to date:

- The Chief FOIA Officer and staff (OCIO) met with the Associate Solicitors for General Law and Administration on June 13, 2007, to discuss the OMB “red” scorecard item involving streamlining FOIA processing and DOI’s backlog reduction efforts.
- Bureau/Office FOIA Officers discussed options for streamlining the Solicitor (SOL) reviews of FOIA documents at the FOIA Officer meeting held on June 19, 2007.
- The DOI FOIA Office presented these options to SOL’s lead office for FOIA matters on July 17, 2007. Streamlining options were discussed and SOL and OCIO identified possible areas for enhanced efficiencies in initial legal reviews of FOIA responses--therefore fulfilling this milestone.

[Actions as reported to OMB in May 31, 2007, memorandum from DOI’s Chief FOIA Officer to Deputy Director for Management, OMB]:

- Collaborating with the Solicitor’s Office to identify issues to be addressed by a focus team, including streamlining initiatives; and
- Met with the Assistant Solicitor – General Legal Services, Office of Solicitor, to define revisions required in FOIA Improvement Plan.

4. **Future steps:**

No further steps required for this milestone—action completed.

IV. 1. **Goal Area:**

**Goal I:** Improve Customer Service

**Objective 2:** Improve customer service using customer feedback where appropriate

2. **Milestone:** Develop on-line FOIA request form

**Original Target Date:** 12/15/06

**Extended Date:** 12/31/07

(see FY06 annual report and Amended Plan (dated 3/29/07))

3. **Steps completed:**

The Department’s FOIA staff is currently working with the Department’s Privacy Officer to address all privacy requirements to ensure we are in compliance prior to making the form available to the public via DOI’s website.

4. **Future steps:**

DOI anticipates meeting the December 31, 2007 due date unless there are additional requirements.

V. 1. **Goal Area:**

**Goal I:** Improve Customer Service

**Objective 2:** Improve customer service using customer feedback where appropriate

2. **Milestone:** Provide toll-free FOIA number for requesters

**Original Target Date:** 12/29/06

**Extended Date:** 09/30/07

(see FY 06 annual report and Amended Plan (dated 3/29/07))

3. **Steps completed:**  
Funding and script for toll-free number have been approved. DOI's telecommunications staff is in the process of implementing the FOIA toll-free number.
4. **Future steps:**  
DOI anticipates that the toll-free number will be available for the public to use by September 30, 2007.

**VI. 1. Goal Area:**

**Goal III:** Build and Retain a Highly Skilled Workforce

**Objective 2:** Apply consistent personnel standards for FOIA Officers/Coordinators and Designated FOIA Attorneys, and provide a DOI-wide recognition program.

2. **Milestone:** Develop FOIA processor performance standards

**Original Target Date:** 11/30/06

**Extended Date:** 12/31/07  
(see FY 06 annual report and Amended Plan (dated 3/29/07))

3. **Steps completed:**  
DOI is in the process of awarding a contract for technical assistance and support to complete several tasks under the Human Resources goal in our Plan, including the development of FOIA processor standards.
4. **Future steps:**  
The contract is scheduled to be awarded by August 15, 2007. DOI anticipates meeting the December 31, 2007, due date.

**VII. 1. Goal Area:**

**Goal V:** Improve Departmental Communication and Consistency

**Objective:** Provide consistent Department-wide FOIA policy, guidance and standards to facilitate compliance and accountability, and improve customer service.

2. **Milestone:** Develop electronic FOIA correspondence templates (form letters), including acknowledgment letters, to assist in processing with an emphasis on enhancing service to the public and post to Intranet

**Original Target Date:** 12/29/06

**Extended Date:** 12/31/07  
(see FY 06 annual report and  
Amended Plan (dated 3/29/07))

3. **Steps completed:**  
The letters in the DOI FOIA Handbook were initially reviewed last fall. They are being reviewed again to ensure the information is still up-to-date and revised where necessary.
4. **Future steps:**  
Once any revisions have been made, the correspondence templates (letters) will be posted to DOI's FOIA Intranet site for use by DOI's FOIA personnel. DOI anticipates meeting the December 31, 2007, due date.

**VIII. 1. Goal Area:**

**Goal V:** Improve Departmental Communication and Consistency (see above) and

**Goal VII:** Employ Viable Technical Solutions

**Objective:** Apply appropriate technology to scan, redact, and streamline the FOIA process and improve quality control.

2. **Milestone:** Review and update letters in DOI FOIA Handbook, supplement where necessary, and post to DOI Intranet (same milestone listed under Goals V and VII in original Plan; incorporated under Goal V in Amended Plan, dated March 29, 2007)

**Original Target Date:** 12/29/06

**Extended Date:** 12/31/07  
(see FY 06 annual report and  
Amended Plan (dated 3/29/07))

3. **Steps completed:**  
The letters in the DOI FOIA Handbook were initially reviewed last fall. They are being reviewed again to ensure the information is still up-to-date, and revised where necessary.
4. **Future steps:**  
Once any revisions have been made, the correspondence templates (letters) will be posted to DOI's FOIA Intranet site for use by DOI's FOIA personnel. DOI anticipates meeting the December 31, 2007, due date.



