



# UNITED STATES DEPARTMENT OF EDUCATION

## OFFICE OF MANAGEMENT

### Regulatory Information Management Services

July 31, 2008

## U.S. Department of Education Updated Status Report Pursuant to Executive Order 13,392

As part of the May 30, 2008 report to the President on agency progress under Executive Order 13,392, "Improving Agency Disclosure of Information," the Attorney General recommended that agencies submit to the President's Management Council an Updated Status Report concerning any deficiency in implementing its FOIA Improvement Plan as reported by the agency in its Fiscal Year 2007 annual FOIA report. Each such agency is required to identify the improvement area to which its deficient milestone relates, identify the specific deficient milestone, report the specific steps already taken to remedy the deficiency, and describe, if applicable, any future steps necessary to remedy the deficiency. These Updated Status Reports need not address any deficiencies remedied as of the Fiscal Year 2007 Annual Report.

Pursuant to the Attorney General's recommendation, the Department of Education hereby submits its Updated Status Report. In its *Annual Freedom of Information Act Report for Fiscal Year 2007*, the Department reported the deficiencies described below.

---

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

Backlog Reduction/Elimination.

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

By January 2008, close the 10-oldest cases identified August 1, 2007.

Deficiency due to not completing and closing one of 10-oldest cases because of the scope of request, searching records to identify responsive records, and allocating resources to review records without undue negative impact on operational priorities of the responsible office.

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

By January 31, 2008, completed 90 percent of the 10-oldest FOIA requests.

By March 2008, coordinated with the program office to complete a search for responsive records.

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

By October 2009, complete processing of additional responsive records and issue an interim release.

By December 2009, coordinate with program office to issue a final release or issue another interim release.

By February 2010, coordinate with program office to close the remaining 10-Oldest case.

---

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

Improvement Ideas from Field Office Personnel.

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

All reporting for the FOIA Annual Report (FY 2007) is automated for the San Francisco and Philadelphia OCR Regional Enforcement Offices.

Deficiency due to the Philadelphia OCR Regional Enforcement Office partially implementing the electronic processing program for all of their FY 2007 requests.

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

By December 2007, all Philadelphia OCR Regional Enforcement Office data for the FY 2007 FOIA Annual Report was collected manually and electronically.

By January 2008, the ED FOIA Service Center monitored the Philadelphia office on a monthly basis on their usage of the electronic processing program to identify trends, offer assistance, and provide additional processing training, as necessary.

By May 2008, developed a plan with the Philadelphia office to input all FOIA requests received in FY 2008 into the processing program.

By June 2008, all OCR Regional Enforcement Offices were using the electronic FOIA processing system.

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

By October 2008, the Philadelphia office annual data contained within the electronic processing program will be retrieved and the Philadelphia office will provide staffing and cost data manually to augment the electronic report.