

Department of Veterans Affairs
Washington, DC
Updated Status Report VA Fiscal Year 2007 Annual FOIA Report

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

Governance.

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

Milestone 07-2: Finalize for publication revised/updated agency regulations and policies.

Original Target Date: March 1, 2007.

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

In October 2007, VA concluded that Milestone 07-2 (“Finalize & publish revised/updated agency regulations and policies.”) had established an unrealistic deadline within which to complete revising and publishing updated department regulations implementing the FOIA. Accordingly, the FOIA Improvement Plan was modified to divide Milestone 07-2 into two separate milestones as follows:

07-2: Finalize for publication revised/updated agency regulations and policies;
Start Date: 2/1/2007. Extended Finish Date: 1/1/2009.

09-1: Publish revised/updated agency regulations and policies.
Start Date: 1/1/2009. Finish Date: 12/31/2009.

Since October, VA has extensively revised its FOIA regulations (38 C.F.R. 1.550 – 1.559) and the FOIA Handbook (6300.3). The Department’s FOIA regulations have not been revised since they were originally published in 1967; the FOIA Handbook has not been updated since 1998. The revised drafts, which reflect changes to the law, including the OPEN Government Act of 2007, are currently being vetted through the Department for review and concurrence. Per our modified Milestones, we are on schedule to meet the revised deadlines.

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

The steps taken to remediate Milestone 07-2 take into account the lengthy rulemaking process. We are meeting the new deadlines and project the updated FOIA regulations will be published in the Federal Register by December 31, 2009. These steps have fully resolved the deficiencies in our FOIA Implementation Plan.