



**Department of Veterans Affairs  
FREEDOM OF INFORMATION ACT (FOIA)  
REPORT FOR FISCAL YEAR 2007**

**I. Basic Information Regarding the Report**

**A. Point of Contact for questions regarding the report:**

John Livornese, Director  
Records Management Service (005R1B)  
Department of Veterans Affairs  
810 Vermont Avenue, NW  
Washington, DC 20420  
(202) 461-7457

**B. Electronic address for the report on the World Wide Web:**

[http://www.foia.va.gov/FOIA\\_Reports.asp](http://www.foia.va.gov/FOIA_Reports.asp)

**C. How to obtain a paper copy of the report (send written request):**

John Livornese, Director  
Records Management Service (005R1B)  
Department of Veterans Affairs  
810 Vermont Avenue, NW  
Washington, DC 20420

**II. How to Make a FOIA Request:**

**To submit a FOIA request, please visit our electronic FOIA guide at:**

<http://www.foia.va.gov/docs/RequesterHandbook.pdf>

**A. Contact Information:**

[http://www.foia.va.gov/FOIA\\_Contacts.asp](http://www.foia.va.gov/FOIA_Contacts.asp)

**B. Brief description of the agency's response-time ranges:**

The median response time ranges are from 1 to 76 days depending on the complexity of the request and the amount of time that is necessary to determine which office has the responsive documents. Some very large requests may require several months to over a year to fully process (sometimes in batches) based on the complexity of the request, and the number of documents that VA must retrieve, review and redact.

**C. Brief description of why some requests are not granted:**

Requests are not granted in cases where the document requested either does not exist or cannot be found after a reasonable search or where the FOIA would prevent granting the request based on an applicable FOIA exemption.

### III. DEFINITIONS OF BASIC TERMS AND ACRONYMS

#### ACRONYMS

<b>A&amp;MM (049)</b>	Acquisition & Material Management
<b>Admin (03)</b>	Administration
<b>BCA (01)</b>	Board of Contract Appeals
<b>BVA (01)</b>	Board of Veterans Appeals
<b>C&amp;LA (009)</b>	Congressional & Legislative Affairs
<b>DM&amp;EEO (06)</b>	Diversity Management & Equal Employment Opportunity
<b>GC (02)</b>	General Counsel
<b>HRM (05)</b>	Human Resources Management
<b>IG (50)</b>	Inspector General
<b>ITSS (005OP)</b>	Information Technology Support Service
<b>NCA (40)</b>	National Cemetery Administration
<b>OASHRA (006)</b>	Office of the Assistant Secretary for Human Resources & Administration
<b>OASP&amp;IA (002)</b>	Office of the Assistant Secretary for Public & Intergovernmental Affairs
<b>ODASB (041)</b>	Office of the Deputy Assistant Secretary for Budget
<b>ODASIA (075)</b>	Office of the Deputy Assistant Secretary for Intergovernmental Affairs
<b>OF (047)</b>	Office of Finance
<b>OI&amp;T (005)</b>	Office of Information & Technology
<b>Mgmt (004)</b>	Office of Management
<b>ORM (08)</b>	Office of Resolution Management
<b>OSDBU (00SB)</b>	Office of Small & Disadvantaged Business Utilization
<b>P&amp;P (008)</b>	Policy and Planning
<b>PA (80)</b>	Public Affairs
<b>S&amp;LE (07)</b>	Security & Law Enforcement
<b>SEC (00)</b>	Office of the Secretary
<b>VBA (20)</b>	Veterans Benefits Administration
<b>VCS (785)</b>	Veterans Canteen Service VACO
<b>VHA (10)</b>	Veterans Health Administration

## TERMS

**1. FOIA/PA Request** -- Freedom of Information Act/Privacy Act request. A FOIA request is generally a request for access to records concerning a third party, an organization, or a particular topic of interest. A Privacy Act request is a request for records concerning oneself; such requests are also treated as FOIA requests. (All requests for access to records, regardless of which law is cited by the requester, are included in this report.)

**2. Initial Request** -- a request to a federal agency for access to records under the Freedom of Information Act.

**3. Appeal** -- a request to a federal agency asking that it review at a higher administrative level a full denial or partial denial of access to records under the Freedom of Information Act, or any other FOIA determination such as a matter pertaining to fees.

**4. Processed Request or Appeal** -- a request or appeal for which an agency has taken a final action on the request or the appeal in all respects.

**5. Multi-track processing** -- a system in which simple requests requiring relatively minimal review are placed in one processing track and more voluminous and complex requests are placed in one or more other tracks. Requests in each track are processed on a first-in/first-out basis. A requester who has an urgent need for records may request expedited processing (see below).

**6. Expedited processing** -- an agency will process a FOIA request on an expedited basis when a requester has shown an exceptional need or urgency for the records which warrants prioritization of his or her request over other requests that were made earlier.

**7. Simple request** -- a FOIA request that an agency using multi-track processing places in its fastest (nonexpedited) track based on the volume and/or simplicity of records requested.

**8. Complex request** -- a FOIA request that an agency using multi-track processing places in a slower track based on the volume and/or complexity of records requested.

**9. Grant** -- an agency decision to disclose all records in full in response to a FOIA request.

**10. Partial grant** -- an agency decision to disclose a record in part in response to a FOIA request, deleting information determined to be exempt under one or more of the FOIA's exemptions; or a decision to disclose some records in their entireties, but to withhold others in whole or in part.

**11. Denial** -- an agency decision not to release any part of a record or records in response to a FOIA request because all the information in the requested records is determined by the agency to be exempt under one or more of the FOIA's exemptions, or for some procedural reason (such as because no record is located in response to a FOIA request).

**12. Time limits** -- the time period in the Freedom of Information Act for an agency to respond to a FOIA request (ordinarily 20 working days from proper receipt of a "perfected" FOIA request).

**13. Perfected request** -- a FOIA request for records which adequately describes the records sought, which has been received by the FOIA office of the agency or agency component in possession of the records, and for which there is no remaining question about the payment of applicable fees.

**14. Exemption 3 statute** -- a separate federal statute prohibiting the disclosure of a certain type of information and authorizing its withholding under FOIA subsection (b)(3).

**15. Median number** -- the middle, not average, number. For example, of 3, 7, and 14, the median number is 7.

**16. Average number** -- the number obtained by dividing the sum of a group of numbers by the quantity of numbers in the group. For example, of 3, 7, and 14, the average number is 8.

#### IV. EXEMPTION 3 STATUTES

STATUTE OR RULE	INFORMATION TYPE	CASE CITATION
5 U.S.C. App 3 (IG Act)	Names or employees who provide information or complaints to the Inspector General.	None.
41 U.S.C. 253b(m)	Prohibits the release of contractor proposals submitted to an agency during the course of federal procurements of property or services.	Hornbostel v. United States Department of the Interior, 305 F. Supp. 2d, 21 (D. D.C. 2003)
38 U.S.C. 5701	Records pertaining to any claim filed with the Department for names and addresses of present and former members of the Armed Forces and their dependents.	Ashton v. VA, 1999 U.S. App. LEXIS 22957 (2d Cir. 1999)
38 U.S.C. 5705	Records created as part of a medical quality assurance program.	None.
38 U.S.C. 7332	Records of the identity, diagnosis, prognosis, or treatment of any patient or subject which are maintained in connection with the performance of any patient or subject which are maintained in connection with the performance of any program or activity relating to drug abuse, alcoholism, or alcohol abuse, infection with the human immunodeficiency virus (HIV) or sickle cell anemia.	Hall v. Department of Veterans Affairs, 1996 U.S. App. LEXIS 29507 (Fed. Cir. 1996)

**V. INITIAL FOIA/PA ACCESS REQUESTS**  
**A. NUMBER OF INITIAL REQUESTS**

VA ORGANIZATION	NUMBER OF REQUESTS PENDING AS OF END OF PRECEDING YEAR	NUMBER OF REQUESTS RECEIVED IN CURRENT YEAR	NUMBER OF REQUESTS PROCESSED IN CURRENT YEAR	NUMBER OF REQUESTS PENDING AS OF END OF CURRENT YEAR
A&MM	113	142	89	166
BCA	0	0	0	0
BVA	39	1,179	1,130	88
C&LA	0	0	0	0
DM&EEO	0	0	0	0
GC	12	73	71	14
HRM	0	0	0	0
IG	52	340	353	39
ITSS	0	58	54	4
Mgmt	0	1	1	0
NCA	0	69	67	2
OASHRA	0	0	0	0
OASP&IA	0	0	0	0
ODASB	0	0	0	0
ODASIA	0	3	3	0
OF	4	38	42	0
OI&T	6	93	81	18
ORM	0	11	11	0
OSDBU	0	0	0	0
P&P	0	0	0	0
PA	0	0	0	0
S&LE	0	7	7	0
SEC	0	3	3	0
VBA	12,961	87,126	86,425	13,662
VCS	0	0	0	0
VHA	25,477	1,919,446	1,923,550	21,373
Totals	38,664	2,008,589	2,011,887	35,366

\*Data from a VBA facility was inadvertently reported separately from VBA's report when it should have been included in VBA's information. Accordingly, the difference in pending requests from last year's report and this year's report (32) is due to a system error. These 32 requests have been captured in VBA's total received column in the FY 2007 report.

**B. DISPOSITION OF INITIAL REQUESTS(OTHER REASONS FOR NON-DISCLOSURE)**

VA ORGANIZATION	NUMBER OF TOTAL GRANTS	NUMBER OF PARTIAL GRANTS	NUMBER OF DENIALS	NO RECORDS	REFERRALS	REQUEST WITHDRAWN	FEE-RELATED REASON	RECORDS NOT REASONABLY DESCRIBED	NOT A PROPER FOIA REQUEST FOR SOME OTHER REASON	NOT AN AGENCY RECORD	DUPLICATE REQUEST	OTHER
A&MM	69	3	4	1	10	1	0	0	1	0	0	0
BCA	0	0	0	0	0	0	0	0	0	0	0	0
BVA	602	22	43	20	315	19	0	5	5	0	99	0
C&LA	0	0	0	0	0	0	0	0	0	0	0	0
DM&EEO	0	0	0	0	0	0	0	0	0	0	0	0
GC	23	13	12	3	14	0	3	2	0	0	1	0
HRM	0	0	0	0	0	0	0	0	0	0	0	0
IG	108	121	40	25	37	0	0	0	4	0	3	15
ITSS	19	0	0	7	5	1	19	0	1	2	0	0
Mgmt	0	0	0	0	0	0	0	0	0	0	1	0
NCA	9	36	0	15	4	3	0	0	0	0	0	0
OASHRA	0	0	0	0	0	0	0	0	0	0	0	0
OASP&IA	0	0	0	0	0	0	0	0	0	0	0	0
ODASB	0	0	0	0	0	0	0	0	0	0	0	0
ODASIA	0	0	0	0	3	0	0	0	0	0	0	0
OF	20	0	3	5	2	0	3	0	0	0	3	6
OI&T	47	6	3	2	4	0	6	8	0	0	5	0
ORM	6	3	0	2	0	0	0	0	0	0	0	0
OSDBU	0	0	0	0	0	0	0	0	0	0	0	0
P&P	0	0	0	0	0	0	0	0	0	0	0	0
PA	0	0	0	0	0	0	0	0	0	0	0	0
S&LE	2	1	0	2	2	0	0	0	0	0	0	0
SEC	1	2	0	0	0	0	0	0	0	0	0	0
VBA	77,000	235	1,028	2,394	3,305	216	93	295	521	322	637	379
VCS	0	0	0	0	0	0	0	0	0	0	0	0
VHA	1,852,358	3,077	17,725	13,843	5,314	15,342	671	1,335	5,596	859	7,043	387
Totals	1,930,264	3,519	18,858	16,319	9,015	15,582	795	1,645	6,128	1,183	7,792	787

**EXPLANATION OF DISPOSITION OF FOIA/PA INITIAL REQUESTS:OTHER REASONS FOR NON-DISCLOSURE (COLUMN MARKED "OTHER")**

VA ORGANIZATION	NUMBER OF TIMES	REASON(S)
A&MM	0	
BCA	0	
BVA	0	
C&LA	0	
DM&EEO	0	
GC	0	
HRM	0	
IG	15	15-Admin. Closures
ITSS	0	
Mgmt	0	
NCA	0	
OASHRA	0	
OASP&IA	0	
ODASB	0	
ODASIA	0	
OF		5- Notified RMS of availability of records, but records was never requested by RMS. 6 1- Provided requester with description of available information but never received further correspondence from requester.
OI&T	0	
ORM	0	
OSDBU	0	
P&P	0	
PA	0	
S&LE	0	
SEC	0	
VBA	379	11-Requestor died before request processed 1-No signature 1-Original military medical records returned to Army National Guard. 8-No written consent 32-requests were not signed & returned. 2-requesters expired 14-e-mail requests - did not submit signed request 16-need prior written consent 37-non response for additional identifying info 39-telephone requests - did not submit written signed requests 6-no signature 16- file at BVA 2-Requester expired before completion 15-Veteran not identified 35-No consent from veteran 1-expired signature 2-need signature 1-Cannot Identify 3-No Signature 4-No signed release 4-No signed release 51-No Signature
VCS	0	
VHA	387	1-Glomar response 3-Medically sensitive information sensitive records 19-medically sensitive records 14 - Medically sensitive records 93 - Medically sensitive records 4 - Medically sensitive records 199 - medically sensitive records 20 - requestor expired before request was completed. 6 medically sensitive records 3 requestor died before request completed 1- Requester expired before request was completed. 9 - Requestor died before request was completed, medically 1-Glomar request 5 - requestor died before completing request 1 - Medically sensitive records 8-Medically sensitive records



**EXEMPTIONS CLAIMED UNDER THE FREEDOM OF  
INFORMATION ACT**

VA ORGANIZATION	(1)	(2)	(3)	(4)	(5)	(6)	(7a)	(7b)	(7c)	(7d)	(7e)	(7f)	(8)	(9)
A&MM	0	0	2	5	0	0	0	0	0	0	0	0	0	0
BCA	0	0	0	0	0	0	0	0	0	0	0	0	0	0
BVA	0	0	0	0	0	43	0	0	0	0	0	0	0	0
C&LA	0	0	0	0	0	0	0	0	0	0	0	0	0	0
DM&EEO	0	0	0	0	0	0	0	0	0	0	0	0	0	0
GC	0	0	2	1	8	3	0	0	0	0	0	0	0	0
HRM	0	0	0	0	0	0	0	0	0	0	0	0	0	0
IG	0	9	9	0	16	152	0	0	42	0	0	0	0	0
ITSS	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Mgmt	0	0	0	0	0	0	0	0	0	0	0	0	0	0
NCA	0	1	0	0	0	36	0	0	0	0	0	0	0	0
OASHRA	0	0	0	0	0	0	0	0	0	0	0	0	0	0
OASP&IA	0	0	0	0	0	0	0	0	0	0	0	0	0	0
ODASB	0	0	0	0	0	0	0	0	0	0	0	0	0	0
ODASIA	0	0	0	0	0	0	0	0	0	0	0	0	0	0
OF	0	0	0	0	0	3	0	0	0	0	0	0	0	0
OI&T	0	0	1	0	3	7	0	0	1	0	0	0	0	0
ORM	0	0	0	0	0	3	0	0	0	0	0	0	0	0
OSDBU	0	0	0	0	0	0	0	0	0	0	0	0	0	0
P&P	0	0	0	0	0	0	0	0	0	0	0	0	0	0
PA	0	0	0	0	0	0	0	0	0	0	0	0	0	0
S&LE	0	0	0	0	1	0	0	0	1	0	0	0	0	0
SEC	0	0	0	0	1	1	0	0	0	0	0	0	0	0
VBA	0	5	998	63	17	175	0	0	0	0	0	0	0	0
VCS	0	0	0	0	0	0	0	0	0	0	0	0	0	0
VHA	0	115	5,153	93	111	14,144	55	12	451	0	0	5	0	0
Totals	0	130	6,165	162	157	14,567	55	12	495	0	0	5	0	0

**VI. APPEALS OF INITIAL DENIALS OF FOIA/PA REQUESTS**  
(Recorded By General Counsel)

A. Number of appeals	
1. Number of appeals received during fiscal year:	223
2. Number of appeals processed during fiscal year:	204
B. Disposition of appeals	
1. Number completely upheld:	18
2. Number partially reversed:	17
3. Number completely reversed:	10
a. Number of times each FOIA exemption used (counting each exemption once per request)	
1. Exemption 1:	0
2. Exemption 2:	1
3. Exemption 3:	4
4. Exemption 4:	2
5. Exemption 5:	5
6. Exemption 6:	31
7. Exemption 7A:	0
8. Exemption 7B:	0
9. Exemption 7C:	10
10. Exemption 7D:	0
11. Exemption 7E:	0
12. Exemption 7F:	0
13. Exemption 8:	0
14. Exemption 9:	0
4. Other reasons for nondisclosure (total):	159
a. no records:	28
b. referrals:	61
c. request withdrawn:	9
d. fee-related reason:	4
e. records not reasonably described:	0
f. not a proper FOIA request for some other reason:	6
g. not an agency record:	1
h. duplicate request:	1
i. other:	49
other reasons:	
Remand -1	
Initial response after appeal - 48	

## VII. COMPLIANCE WITH TIME LIMITS/STATUS OF PENDING REQUESTS

### A. MEDIAN PROCESSING TIME FOR REQUESTS PROCESSED DURING THE YEAR

VA ORGANIZATIONS	Simple Requests		Complex Requests		Requests Accorded Expedited Processing	
	NUMBER OF REQUESTS PROCESSED	MEDIAN NUMBER OF DAYS TO PROCESS	NUMBER OF REQUESTS PROCESSED	MEDIAN NUMBER OF DAYS TO PROCESS	NUMBER OF REQUESTS PROCESSED	MEDIAN NUMBER OF DAYS TO PROCESS
A&MM	n/a	n/a	89	3.00	0	.00
BCA	n/a	n/a	0	.00	0	.00
BVA	n/a	n/a	1,005	9.00	125	5.00
C&LA	n/a	n/a	0	.00	0	.00
DM&EEO	n/a	n/a	0	.00	0	.00
GC	n/a	n/a	71	12.50	0	.00
HRM	n/a	n/a	0	.00	0	.00
IG	n/a	n/a	353	18.00	0	.00
ITSS	n/a	n/a	54	6.00	0	.00
Mgmt	n/a	n/a	1	1.00	0	.00
NCA	n/a	n/a	67	76.00	0	.00
OASHRA	n/a	n/a	0	.00	0	.00
OASP&IA	n/a	n/a	0	.00	0	.00
ODASB	n/a	n/a	0	.00	0	.00
ODASIA	n/a	n/a	3	1.00	0	.00
OF	n/a	n/a	42	11.00	0	.00
OI&T	n/a	n/a	81	11.00	0	.00
ORM	n/a	n/a	11	9.00	0	.00
OSDBU	n/a	n/a	0	.00	0	.00
P&P	n/a	n/a	0	.00	0	.00
PA	n/a	n/a	0	.00	0	.00
S&LE	n/a	n/a	7	1.00	0	.00
SEC	n/a	n/a	2	7.00	1	5.00
VBA	n/a	n/a	86,403	19.50	22	3.50
VCS	n/a	n/a	0	.00	0	.00
VHA	n/a	n/a	1,912,363	1.00	11,187	1.00
Totals	n/a	n/a	2,000,552		11,335	

## B. STATUS OF PENDING REQUESTS

VA ORGANIZATION	NUMBER OF REQUESTS PENDING AS OF END OF FISCAL YEAR	MEDIAN NUMBER OF DAYS PENDING
A&MM	166	429.00
BCA	0	.00
BVA	88	11.00
C&LA	0	.00
DM&EEO	0	.00
GC	14	162.50
HRM	0	.00
IG	39	18.00
ITSS	4	6.00
Mgmt	0	.00
NCA	2	31.00
OASHRA	0	.00
OASP&IA	0	.00
ODASB	0	.00
ODASIA	0	.00
OF	0	100.00
OI&T	18	100.00
ORM	0	.00
OSDBU	0	.00
P&P	0	.00
PA	0	.00
S&LE	0	.00
SEC	0	.00
VBA	13,662	30.00
VCS	0	.00
VHA	21,373	7.00
Totals	35,366	

## **VIII. COMPARISON WITH PREVIOUS YEAR**

### **A. Comparison of numbers of requests received:**

During FY 2006, VA received 1,938,206 requests.

During FY 2007, VA received 2,008,589 requests.

### **B. Comparison of numbers of requests processed:**

During FY 2006, VA processed 1,937,088 requests.

During FY 2007, VA processed 2,011,887 requests.

### **C. Comparison of median number of days requests were pending as of end of fiscal year:**

At the end of 2006 the median number of days requests were pending was 11.00.

At the end of 2007 the median number of days requests were pending was 10.00.

### **D. During FY 2007, VA received 26,415 requests asking for expedited processing and 11,335 requests were granted.**

## IX. COSTS/FOIA STAFFING

VA ORGANIZATION	Staffing Levels			Total Costs (Including Staff and All Resources)		
	NUMBER OF FULL TIME PERSONNEL	NUMBER OF PERSONNEL WITH PART TIME OR OCCASIONAL FOIA DUTIES (IN TOTAL WORKYEARS)	TOTAL NUMBER OF PERSONNEL (IN WORK YEARS)	FOIA PROCESSING (INCLUDING APPEALS) (ESTIMATED)	LITIGATION-RELATED ACTIVITIES (ESTIMATED)	TOTAL
A&MM	0.00	1.35	1.35	\$169,717.00	\$0.00	\$169,717.00
BCA	0.00	0.00	0.00	\$0.00	\$0.00	\$0.00
BVA	2.00	1.20	3.20	\$403,778.00	\$0.00	\$403,778.00
C&LA	0.00	0.00	0.00	\$0.00	\$0.00	\$0.00
DM&EEO	0.00	0.00	0.00	\$0.00	\$0.00	\$0.00
GC	1.00	27.25	28.25	\$265,695.82	\$12,384.00	\$278,079.82
HRM	0.00	0.00	0.00	\$0.00	\$0.00	\$0.00
IG	2.00	0.00	2.00	\$250,000.00	\$0.00	\$250,000.00
ITSS	0.00	0.05	0.05	\$5,556.00	\$0.00	\$5,556.00
Mgmt	0.00	1.00	1.00	\$52.63	\$0.00	\$52.63
NCA	0.00	0.70	0.70	\$54,618.20	\$0.00	\$54,618.20
OASHRA	0.00	0.00	0.00	\$0.00	\$0.00	\$0.00
OASP&IA	0.00	0.00	0.00	\$0.00	\$0.00	\$0.00
ODASB	0.00	0.00	0.00	\$0.00	\$0.00	\$0.00
ODASIA	0.00	0.20	0.20	\$1,750.66	\$0.00	\$1,750.66
OF	0.00	0.35	0.35	\$11,061.25	\$0.00	\$11,061.25
OI&T	4.00	2.30	6.30	\$395,505.26	\$0.00	\$395,505.26
ORM	0.00	0.25	0.25	\$19,780.00	\$0.00	\$19,780.00
OSDBU	0.00	0.00	0.00	\$0.00	\$0.00	\$0.00
P&P	0.00	0.00	0.00	\$0.00	\$0.00	\$0.00
PA	0.00	0.00	0.00	\$0.00	\$0.00	\$0.00
S&LE	0.00	0.10	0.10	\$11,250.00	\$0.00	\$11,250.00
SEC	0.00	0.10	0.10	\$2,769.20	\$0.00	\$2,769.20
VBA	53.00	54.72	107.72	\$5,781,397.68	\$0.00	\$5,781,397.68
VCS	0.00	80.00	80.00	\$3,200.00	\$0.00	\$3,200.00
VHA	515.00	135.05	649.60	\$43,979,012.04	\$0.00	\$43,979,012.04
Totals	577.00	304.62	881.17	\$51,355,143.74	\$12,384.00	\$51,367,527.74

## **X. FEES**

### **A. Total amount of fees collected by all agencies for processing requests:**

\$814,785.89

### **B. Percentage of total costs:**

1.58 %

## **XI. FOIA REGULATIONS (Including Fee Schedule)**

### **The Department of Veterans Affairs (VA) regulations implementing the Freedom of Information Act are:**

38 C.F.R. § 1.550 – 1.559, Release of Information from Department of Veterans Affairs Records Other than Claimant Records

### **VA Regulations Implementing the Privacy Act are:**

38 C.F.R. § 1.575 – 1.577, 1.580, Safeguarding Personal Information in Department of Veterans Affairs Records

### **The schedule of Fees is available at:**

38 C.F.R. § 1.555, Fees

### **These regulations can be accessed at:**

[http://www.foia.va.gov/FOIA\\_Policies.asp](http://www.foia.va.gov/FOIA_Policies.asp)

## **XII. REPORT ON IMPLEMENTATION OF EXECUTIVE ORDER 13392.**

This section of the annual FOIA report contains the Department of Veterans Affairs' description of its progress in implementing the milestones and goals of its FOIA Implementation Plan. The reporting period for this section includes progress made by the Department through December 31, 2007.

### **A. Description of supplementation/modification of agency improvement plan**

In October 2007, the Department of Veterans Affairs modified its FOIA implementation plan. This modification divided Milestone 07-2 into two separate milestones. The plan originally established as a milestone "Finalize & publish revised/updated agency regulations and policies." The allotted time in which to accomplish this milestone has proven to be unrealistic. The Department's FOIA regulations and policies are being revised; however, final publication of 38 CFR Parts I & II, "Release of Information from Department of Veterans Affairs Records" requires a public notice and comment period, in addition to internal reviews and concurrences. This multi-faceted process will take approximately 18 months to complete. Accordingly, Milestone 07-2 has been modified as follows:

- 07-2: Finalize for publication revised/updated agency regulations and policies;
- 09-1: Publish revised/updated agency regulations and policies.

### **B. Report on agency implementation of its plan, including its performance in meeting milestones, with respect to each improvement area**

VA has achieved substantial successes implementing its FOIA Improvement Plan and in meeting the Milestones established within the Plan since the submission of last year's annual FOIA report. The Department has made significant progress in all of the improvement areas targeted by the plan including: (1) FOIA Organization Structure; (2) FOIA Governance; (3) FOIA Backlog; (4) FOIA Training; and (5) FOIA Customer Service and Communications.

The Department's most noteworthy accomplishments during this period have been in the improvement areas of FOIA Backlog, FOIA Training, and FOIA Governance. Since last year's Annual FOIA Report VA has achieved an additional 50% reduction in its FOIA Backlog marking a reduction to the agency backlog of over 80% since implementation of the VA FOIA Improvement Plan. A draft rewrite of 38 CFR Parts I & II, Release of Information from Department of Veterans Affairs Records has been completed and reviewed and approved by VA's FOIA Working Group. A



Regulations Development Coordinator from VA's Office of Regulation Policy and Management has been assigned to assist with finalization of the publication process. A comprehensive FOIA Training Program targeted for all primary and alternate VA FOIA Officers has been developed. It is comprised of a six-module computer-based desktop FOIA Training presentation and an electronic FOIA Staff Training Guidebook. In the way of improving customer service, VA posted a "FOIA Reference Guide" to its website to assist FOIA requesters understand the FOIA process.

C. Identification and discussion of any deficiency in meeting plan milestones

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

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:

07-2, Finalize & publish revised/updated agency regulations and policies, to be completed by 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 FOIA Improvement Plan Milestones 07-2 had established an unrealistic time constraint which would require a modification to the Plan. The necessary modification divides Milestone 07-2 ("Finalize & publish revised/updated agency regulations and policies.") into two separate milestones. Modified Departmental FOIA regulations and policies have been completed in draft however; final publication of 38 CFR Parts I & II, "Release of Information from Department of Veterans Affairs Records" requires a public notice and comment period, in addition to internal reviews and concurrences. This multi-faceted process will take approximately 18 months to complete. Accordingly, Milestone 07-2 is modified 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.

As this modification coincided with the data collection/compilation for the Department's Annual FOIA Report it was decided that the notifications and posting of the updated Plan to the VA FOIA Web site would be completed simultaneously with the submission of the annual report.

4. Future remedial steps and the dates by which the steps will be completed. The steps taken to remediate Milestone 07-2 include the creation of a new milestone, number 09-1, which takes into account the lengthy rulemaking process. We project to have the updated FOIA regulations published in the Federal Register by December 31, 2009.

D. Additional narrative statements regarding other executive order-related activities (if applicable)

On December 3, 2007 the Government Accountability Office (GAO) held an Exit Conference with VA to discuss its findings associated with GAO engagement 310788—Review of FOIA status and the implementation of Executive Order 13392. This engagement was undertaken to: Determine the status of agencies' processing of FOIA requests and any trends that can be seen; and Determine to what extent agencies have made progress in addressing backlogged FOIA requests since implementing their improvement plans.

During the exit conference GAO noted that "VA displayed appropriate internal controls and/or review processes for ensuring the completeness and accuracy of the data contained in [its] FY 2006 FOIA annual report." In addition, GAO concluded "...VA had reduced its overall backlog by over 80%..." and "...over 60% of VA FOIA Offices have no backlog."

E. Concise descriptions of FOIA exemptions

The nine exemptions to the FOIA authorize federal agencies to withhold information covering: (1) classified national defense and foreign relations information; (2) internal agency rules and practices; (3) information that is prohibited from disclosure by another federal law; (4) trade secrets and other confidential business information; (5) inter-agency or intra-agency communications that are protected by legal privileges; (6) information involving matters of personal privacy; (7) records or information compiled for law enforcement purposes, to the extent that the production of those records (A) could reasonably be expected to interfere with enforcement

proceedings, (B) would deprive a person of a right to a fair trial or an impartial adjudication, (C) could reasonably be expected to constitute an unwarranted invasion of personal privacy, (D) could reasonably be expected to disclose the identity of a confidential source, (E) would disclose techniques and procedures for law enforcement investigations or prosecutions, or would disclose guidelines for law enforcement investigations or prosecutions, or (F) could reasonably be expected to endanger the life or physical safety of any individual; (8) information relating to the supervision of financial institutions; and (9) geological information on wells.



G. Attachment: Agency improvement plan:

The FOIA Implementation Plan for the Department of Veterans Affairs is attached.

**U.S. Department of Veterans Affairs (VA)**  
**Freedom of Information Act (FOIA) Implementation Plan under**  
**Executive Order (EO) 13392, Improving Agency Disclosure of Information**

**A. Agency's FOIA Operations**

In FY 2005, VA processed 1,914,013 FOIA requests, the most processed by any federal agency. The majority of the requests were first party Privacy Act requests for records stored electronically that could be processed quickly. The remaining were traditional FOIA requests, which required more extensive processing. VA FOIA operations are decentralized, meaning a FOIA request may be processed by any of the approximately 400 VA offices within the United States, American Samoa, Guam, Philippines, Puerto Rico, and the Virgin Islands that maintain the records requested. Our Federal implementing regulations, Title 38 of the Code of Federal Regulations (CFR) § 1.553(b) require that requests be made in writing, over the signature of the requester, and must contain a reasonable description of the requested record. Recent VA annual FOIA reports have identified Veterans Health Administration (VHA), Veterans Benefits Administration (VBA), Office of the Inspector General (OIG), Office of Acquisition and Materiel Management (OA&MM) and Board of Veterans Appeals (BVA) as the components that routinely process the largest volume of VA FOIA requests.

On January 13, 2006, the Assistant Secretary for the Office of Information and Technology (OI&T) was designated as VA's Agency Chief FOIA Officer (ACFO). VA's Records Management Service, a staff element within the OI&T, is the responsible office to implement the provisions of EO 13392 throughout the agency, in conjunction with other VA Administrations and staff offices that administer and manage FOIA requests.

In February 2006, VA issued a call to the Under Secretaries, Assistant Secretaries, and other key VA officials explaining the need to establish a planning FOIA work group that would identify any known deficiencies or improvements needed within their FOIA operations. The areas identified for review are listed in Section B. Those areas identified as requiring improvement are listed in Section D. As planning efforts evolve, other VA FOIA offices may participate in the decisions made as a result of EO 13392, "Improving Agency Disclosure of Information."

**B. Areas Selected for Review**

- 1) FOIA Organization Structure
  - a. Accountability
  - b. Reporting
  - c. Management oversight
  - d. Intra-agency communication
  
- 2) FOIA Governance
  - a. Review existing policy, guidelines and regulations
  - b. FOIA processing procedures

- 3) FOIA Backlog
  - a. Causes
  - b. Categories
- 4) FOIA Training
  - a. Position and level specific training
  - b. Organization specific training
- 5) FOIA Customer Service and Communications
  - a. FOIA status tracking
  - b. Customer satisfaction

The following issues were reviewed and discussed but dismissed as inappropriate for inclusion in this report.

- **Receive FOIA requests by email:** VA regulations do not provide for requesters to submit FOIA requests by email. More importantly, the working group found that receiving requests by email is not likely to be viable for an agency of this size that serves such a large population.
- **Establish customer satisfaction metrics:** VA's FOIA policy office and FOIA operations are separate and distinct (There are severe coordination problems because of the separation of functions and there is a lack of consistency and an inability to address issues.) Having multiple entry points for the customer makes it impractical to establish a centralized mechanism to handle or discuss customer complaints or issues
- **Contracting out/hiring contract employees:** An increasing number of agencies have made good use of either contracting out certain limited FOIA-related activities or hiring contract employees for FOIA work, or both. The working group, however, determined that this is not a significant issue in light of the areas for improvement discussed in this plan.
- **Uniform Tracking System:** An electronic tracking system that all offices throughout the agency will adopt was presented as a way to consistently track requests agency-wide. However, the types of requests and issues that the different VA components receive vary widely. For example, VHA processes mostly requests for electronic medical records, while VBA receives many requests for veterans' claims folders, which contain paper records that are sometimes decades old. Because these components have their own tracking systems that have been adapted to their specific needs, a uniform tracking system that will impose one standard across the agency was dismissed as impracticable.

### C. Results of Review

A need for enhanced FOIA Organization Structure, FOIA Governance, Backlog reduction, FOIA Training, Technology and Automation, and improved Customer Service and Communication were identified.

## **D. Areas Chosen as Improvement Areas**

- 1) FOIA Organization Structure
  - a. Accountability
  - b. Reporting
  - c. Management oversight
  - d. Intra-agency communication
- 2) FOIA Governance
  - a. Policy, guidelines and regulations
  - b. FOIA processing procedures
- 3) FOIA Backlog
  - a. Causes
  - b. Categories
- 4) FOIA Training
  - a. Position and level specific training
  - b. Organization specific training
- 5) FOIA Customer Service and Communications
  - a. FOIA status tracking
  - b. Customer satisfaction
- 6) Technology and Automation

The areas identified by the VA FOIA working group as improvement areas for the agency plan include continued evaluation of the existing FOIA organization structure and improvement in the areas of accountability, reporting, management oversight and intra-agency communication. Analysis of existing policy, guidelines and regulations is needed. In addition, position and level specific training would help reduce existing backlogs. The area of VA FOIA automation and technology was identified as needing improvement. Suggested improvement in these areas could make FOIA processing more efficient and address many of the issues concerning customer satisfaction.

## **E. Improvement Area Plans**

### **1) FOIA Organization Structure**

#### **a. Goals, Objectives, and Improvements Sought**

An Acting VA Chief FOIA Officer has been designated and FOIA Request 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.

#### **b. Steps Planned or Taken**

- Designate Chief FOIA Officer
- Create FOIA Requester Service Centers and Public Liaisons
- Establish Depart-wide FOIA Working Group
- Conduct Preliminary Assessment of VA's FOIA Program
- Identify problems, deficiencies and recommendations
- Present findings to ACFO
- Establish a FOIA Processing organization

#### **c. Milestones**

[See Organization Structure milestones at table below.](#)

#### **d. Means of Measurement of Success**

Successful completion of items listed in E.1.b.

### **2) FOIA Governance**

#### **a. Goals, Objectives, and Improvements Sought**

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 this 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.

#### **b. Steps Planned or Taken**

- [Identify new resource and funding requirements](#)
- [Draft revised and updated agency regulations and policies](#)
- [Revise and update agency regulations and policies](#)
- [Finalize for publication revised/updated agency regulations and policies](#)

- [Publish revised/updated agency regulations and policies.](#)
- [Review existing personnel job series and position descriptions for FOIA Officers and other FOIA Personnel.](#)
- [Restructure VA's Headquarter FOIA Requester Service Center Office and Public Liaison Officers.](#)

**c. Milestones**

[See Governance milestones at table below.](#)

**d. Means of Measurement of Success**

Successful completion of items listed in E.2.b.

- 3) FOIA Backlog Reduction.** A backlog consists of those requests pending for longer than the twenty-day statutory time limit for response. There are 276 offices within VA that routinely receive FOIA requests. Each one of these annually receives a volume of FOIA requests ranging from 1 to almost 52,000. While over 99% of VA FOIA requests are processed in 2-days or less, there are requests that require coordination / consultation with multiple VA Offices, departments, and other agencies and a FOIA backlog does exist.

**a. Goals, Objectives, and Improvements Sought**

A number of organizations within VA have FOIA officers that perform FOIA functions as a collateral duty. This may be a contributing factor to the backlog. If a determination is made at that the workload would justify converting FOIA Officer's duties from a collateral assignment, a decision may be made to authorize staff to perform the FOIA function full-time.

Inadequate training of newly appointed FOIA Officers may contribute to the backlog as well. VA enhanced training plan is described in paragraph 3 above.

Affirmative disclosure of public information that does not fall under subsection (a)(2) of the FOIA, is permitted. VA policy statements, staff manuals and instructions to staff, and final agency opinions provide for such proactive disclosures to be made readily available to the public, including through posting on the web-site. A centralized FOIA tracking system, as discussed in the Automation & Technology section below, 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.

**b. Steps Planned or Taken to reduce FOIA Backlog**

- [Analyze Annual FOIA Report to identify offices with backlogs](#)
- [Examine the procedures in offices with backlogs](#)

- [Identify frequently requested records and post them on the VA FOIA web site](#)
- [Call memorandum to all Field entities to provide backlog stats on September 11 and November 30, 2006](#)
- [Selected Field Facilities will complete a FOIA Data Call, which will request in-depth data on their FOIA process to include factors they believe would impact or cause a backlog and the possible solutions. Included in the Data Call will be facilities that have significant backlogs and some with little to no backlog in order to do a comparison between the two populations.](#)
- [Data Call results will be analyzed and categorized by causes, solutions, Administrations as well as agency wide; based on this analysis, a proposed reduction for backlog will be determined and the proposed effective date](#)
- [VA will identify its 10 oldest FOIA requests and provide their estimated completion dates. The completion dates will be included in the status update on the VA Implementation Plan.](#)
- [Conduct site visits of selected facilities identified as having significant and/or very little backlogs.](#)

#### **c. Milestones**

[See Backlog Reduction milestone table below.](#)

#### **d. Means of Measurement of Success**

- Number of requests pending past the twenty-day statutory time limit out of all pending requests
- Percentage of such requests out of all pending requests
- Average number of days pending of such requests
- Range of number of days pending of such requests

**4) FOIA Training.** VA currently utilizes Department of Justice (DOJ) courses to provide training for FOIA Officers and staff. These courses are available only at certain times during the year and class size is limited. As a result, when a FOIA staff turnover occurs, there is often a lag in providing appropriate training for the replacement staff member.

#### **a. Goals, Objectives, and Improvements Sought**

VA FOIA office staffs need consistent, organization specific training to ensure that a well-informed staff is in place. FOIA Officers and staff need to have an updated handbook that addresses how to process FOIA requests and training that will teach them how to accurately determine which organization is the custodian of the specific records and/or files being sought. VA will request that DOJ provide customized training as they have offered to do for other agencies. VA will also explore developing component-specific training to address those issues that individual administrations or offices face, including the distinction between “sensitive” and “exempt.”

**b. Steps Planned or Taken**

- [Review existing personnel job series and position descriptions for FOIA Officers and other FOIA Personnel](#)
- [Establish baseline of skills and knowledge for FOIA officers.](#)
- [Establish a requirement for annual training and awareness initiatives.](#)
- [Design or commission a comprehensive FOIA training program targeted for all primary and alternate VA FOIA Officers.](#)
- [Investigate web-based and/or video training.](#)
- [Implement Training of FOIA Officials and Staff.](#)

**c. Milestones**

[See Training milestones table below.](#)

**d. Means of Measurement of Success**

Successful completion of items listed in E.3.b.

**5) FOIA Customer Service and Communications**

**a. Goals, Objectives, and Improvements Sought)**

VA is evaluating information that is posted on the FOIA website to; 1) educate the public about the FOIA generally; 2) explain the requirements that the request be in writing, over the signature of the requester, and must contain a reasonable description of the requested record; 3) describe the agency's FOIA operations so that requesters have a better understanding of how their requests are processed.

VA is evaluating ways to improve; 1) communication with FOIA requestors; 2) public accessibility to FOIA staff; 3) responsiveness.

**b. Steps Planned or Taken**

- [Improve customer information \(refine web site, develop and distribute printed materials\)](#)
- [Standardize the Initial Notice of Determination response](#)
- [Create FOIA Requester Service Centers and Public Liaisons](#)
- [Gather customer feedback](#)
- [Respond and make improvements to identified areas](#)

**c. Milestones**

[See Customer Service and Communications milestones at table below.](#)

**d. Means of measurement of success**

- Analyze external stakeholder feedback

**6) Technology & Automation**

**a. Goals, Objectives, and Improvements Sought**

VA FOIA operations are decentralized, and each organization has its method of tracking FOIA requests. VA intends to acquire an IT solution that provides the capabilities to track FOIA requests by field location name and is accessible to each FOIA Service Center and the ACFO. The FOIA tracking system could also be designed to flag overdue requests and provide enhanced search capabilities. The FOIA log should be able to generate information needed to complete the annual FOIA report for each organization. Eventually customers may be able to access the web to inquire about the status of their requests.

**b. Steps Planned or Taken**

- [Research and review existing internal VA FOIA software products](#)
- [Research and review existing Government Off-the-Shelf \(GOTS\) FOIA software products](#)
- [Research and review existing Customer Off-the-Shelf \(COTS\) FOIA software products](#)
- [Implement selected software product solution](#)

**c. Milestones**

[See Technology and Automation milestones at table below.](#)

**d. Means of Measurement of Success**

- Implementation of the selected FOIA solution
- Post implementation review
- Training

**F. For the entire plan, group the improvement areas into the following time periods:**

1) [Areas anticipated to be completed by December 31, 2006](#) (*✓ indicates complete*)

- ✓ [Designate the VA ACFO](#)
- ✓ [Establish Department-wide FOIA work-group](#)
- ✓ [Conduct Preliminary Assessment of VA's FOIA Program](#)
- ✓ [Identify problems, deficiencies and recommendations](#)
- ✓ [Present findings to ACFO](#)

- ✓ [Draft revised and updated agency regulations and policies](#)
- ✓ [Conduct FOIA site visits](#)

**1) [Areas anticipated to be completed by December 31, 2007](#)**

- ✓ [Identify New Resource and Funding Requirements](#)
- ✓ [Finalize & publish revised/updated agency regulations and policies](#)
- ✓ [Analyze annual FOIA report to identify offices with backlogs](#)
- ✓ [Solicit and analyze in-depth backlog data call from selected field facilities](#)
- ✓ [Examine procedures in offices with backlogs](#)
- ✓ [Identify frequently requested records and post them on the VA FOIA web site](#)
- ✓ [Identify possible solutions to FOIA Backlog](#)
- ✓ [Develop a plan to reduce FOIA Backlog](#)
- ✓ [Implement Proposed backlog solutions](#)
- ✓ [Establish centralized FOIA office \(VACO\)](#)
- ✓ [Review existing personnel job series and position descriptions for FOIA Officers and other FOIA Personnel](#)
- ✓ [Establish baseline skills and knowledge for FOIA Officers](#)
- ✓ [Design a comprehensive FOIA Training Program targeted for all primary and alternate VA FOIA Officers](#)
- ✓ [Establish Training Requirements](#)
- ✓ [Investigate web-based and/or video training](#)
- ✓ [Implement Training of FOIA Officials and Staff](#)
- ✓ [Continue FOIA site visits](#)

**2) [Areas anticipated to be completed after December 31, 2008](#)**

- ✓ [Improve customer information \(refine web site develop and distribute printed materials\)](#)
  - [Gather customer feedback](#)
  - [Respond and make improvements to identified areas](#)
  - [Research and review existing VA FOIA software products](#)
  - [Research and review existing GOTS FOIA software products](#)
  - [Research and review existing COTS FOIA software products](#)
  - [Implement selected software product solution](#)
  - [Revise FOIA Policy, Procedures and Standards](#)
  - [Implement Operational Changes](#)
  - [Review and assess Training Requirements](#)
  - [Continue FOIA site visits](#)

**3) [Areas anticipated to be completed after December 31, 2009](#)**

- [Publish revised/updated agency regulations and policies.](#)

**Tab A**

**FOIA Implementation Plan Milestones**

**(Chronological)**

### CY 2006 FOIA Implementation Plan Milestones

ID	Improvement Area	Action to be Completed	Start	Finish	Complete
06-1	Organization Structure	Designate VA Agency Chief FOIA Officer	6/14/2006	8/2/2006	✓
06-2	Organization Structure	Establish Depart-wide FOIA Working Group	6/14/2006	8/2/2006	✓
06-3	Governance	Conduct Preliminary Assessment of VA's FOIA Program	6/14/2006	9/27/2006	✓
06-4	Governance	Identify problems, deficiencies and recommendations	6/4/2006	9/27/2006	✓
06-5	Governance	Present findings to ACFO	6/14/2006	11/3/2006	✓
06-6	Customer Service & Communications	Standardize Initial Notice of Determination response	11/20/2006	12/31/2006	✓
06-7	Governance	Draft revised and updated agency regulations and policies	11/20/2006	12/31/2006	✓
06-8	Backlog & Governance	Implement Quarterly Backlog Snapshot reporting requirements for all field activities	11/8/2006	11/27/2006	✓
06-9	Backlog	Analyze Quarterly Backlog Snapshots to identify offices with significant backlogs	11/30/2006	12/15/2006	✓
06-10	Backlog	Identify its 10 oldest FOIA requests and provide estimated completion dates using Snapshot data	11/30/2006	12/15/2006	✓
06-11	Backlog	Conduct FOIA site Visits	12/1/2006	12/31/2006	✓



### CY 2007 FOIA Implementation Plan Milestones

ID	Improvement Area	Action to be Completed	Start	Finish	Complete
07-1	Governance	Identify new resources and funding requirements	1/1/2007	2/1/2007	✓
07-2	Governance	Finalize for publication revised/updated agency regulations and policies	2/1/2007	1/1/2009	
07-3	Backlog	Analyze annual FOIA report to identify offices with backlogs	2/1/2007	3/1/2007	✓
07-4	Backlog	Solicit and analyze in-depth backlog data call from selected field facilities	2/15/2007	3/15/2007	✓
07-5	Backlog	Examine procedures in offices with backlogs	2/1/2007	3/1/2007	✓
07-6	Backlog	Identify frequently requested records and post them on the VA FOIA web site	3/1/2007	10/1/2007	✓
07-7	Backlog	Identify possible backlog solutions	3/1/2007	5/1/2007	✓
07-8	Backlog & Governance	Continue FOIA site Visits	3/1/2007	5/1/2007	✓
07-9	Backlog	Develop a plan to reduce FOIA Backlog	5/1/2007	5/15/2007	✓
07-10	Backlog	Implement Proposed backlog solutions	5/15/2007	6/1/2007	✓
07-11	Governance	Create FOIA Requester Service Centers and Public Liaisons	6/1/2007	7/15/2007	✓
07-12	Organization Structure	Establish a FOIA Processing Organization (VA FOIA Office)	6/1/2007	7/15/2007	✓
07-13	Governance	Review existing personnel job series and position descriptions for FOIA Officers and other FOIA Personnel	6/1/2007	7/15/2007	✓
07-14	Training	Establish baseline skills and knowledge for FOIA Officers	7/1/2007	8/1/2007	✓
07-15	Training	Establish a requirement for annual training and awareness initiatives	7/15/2007	8/1/2007	✓
07-16	Training	Design a comprehensive FOIA Training Program targeted for all primary and alternate VA FOIA Officers	8/1/2007	10/1/2007	✓
07-17	Training	Investigate web-based and/or video training	8/1/2007	10/12/2007	✓
07-18	Training	Implement Training of FOIA Officials and Staff	10/1/2007	12/31/2007	✓

### CY 2008 FOIA Implementation Plan Milestones

ID	Improvement Area	Action to be Completed	Start	Finish	Complete
08-1	Customer Service & Communications	Improve customer information (refine web site develop and distribute printed materials)	1/1/2008	1/31/2008	✓
08-2	Customer Service & Communications	Gather customer feedback	1/1/2008	1/31/2008	✓
08-3	Customer Service & Communications	Respond and make improvements to identified areas	2/1/2008	3/1/2008	
08-4	Technology & Automation	Research and review existing internal VA FOIA software products	3/1/2008	4/1/2008	
08-5	Technology & Automation	Research and review existing GOTS FOIA software products	4/1/2008	5/1/2008	
08-6	Technology & Automation	Research and review existing COTS FOIA software products	5/1/2008	6/1/2008	
08-7	Technology & Automation	Implement selected software product solution	6/1/2008	9/1/2008	
08-8	Governance	Revise FOIA Policy, Procedures and Standards	9/1/2008	10/31/2008	
08-9	Organization Structure	Implement Operational Changes	11/1/2008	12/31/2008	
08-10	Training	Review and assess Training Requirements	9/1/2008	12/31/2008	
08-11	Backlog & Governance	Continue FOIA site Visits	1/1/2008	12/31/2008	

### CY 2009 FOIA Implementation Plan Milestones

ID	Improvement Area	Action to be Completed	Start	Finish	Complete
09-1	Governance	Publish revised agency FOIA regulations and policies	1/1/2009	12/31/2009	

**Tab B**

**FOIA Implementation Plan Milestones**

**(By Improvement Area)**

## FOIA Implementation Plan Milestones

<b>Organization Structure Milestones</b>				
<b>ID</b>	<b>Action to be Completed</b>	<b>Start</b>	<b>Finish</b>	<b>Complete</b>
06-1	Designate VA Agency Chief FOIA Officer	6/14/2006	8/2/2006	✓
06-2	Establish Depart-wide FOIA Working Group	6/14/2006	8/2/2006	✓
07-12	Establish a FOIA Processing Organization (VA FOIA Office)	6/1/2007	7/15/2007	✓
08-9	Implement Operational Changes	11/1/08	12/31/2008	
<b>Governance Milestones</b>				
<b>ID</b>	<b>Action to be Completed</b>	<b>Start</b>	<b>Finish</b>	<b>Complete</b>
06-3	Conduct Preliminary Assessment of VA's FOIA Program	6/14/2006	9/27/2006	✓
06-4	Identify problems, deficiencies and recommendations	6/14/2006	9/27/2006	✓
06-5	Present findings to ACFO	6/14/2006	11/3/2006	✓
06-7	Draft revised and updated agency regulations and policies	11/20/2006	12/31/2006	✓
07-1	Identify new resources and funding requirements	1/1/2007	2/1/2007	✓
07-2	Finalize for publication revised/updated agency regulations and policies	2/1/2007	1/1/2009	
07-8	Continue FOIA site Visits	3/1/2007	5/1/2007	✓
07-11	Create FOIA Requester Service Centers and Public Liaisons	6/1/2007	7/15/2007	✓
07-13	Review existing personnel job series and position descriptions for FOIA Officers and FOIA Personnel	6/1/2007	7/15/2007	✓
08-11	Continue FOIA site Visits	1/1/2008	12/31/2008	

08-8	Revise FOIA Policy, Procedures and Standards	9/1/2008	10/31/2008	
09-1	Publish revised agency FOIA regulations and policies	1/1/2009	12/31/2009	
<b>Backlog Reduction Milestones</b>				
<b>ID</b>	<b>Action to be Completed</b>	<b>Start</b>	<b>Finish</b>	<b>Complete</b>
06-8	Implement Quarterly Backlog Snapshot reporting requirements for all field activities	11/8/2006	11/27/2006	✓
06-9	Analyze Quarterly Backlog Snapshots to identify offices with significant backlogs	11/30/2006	12/15/2006	✓
06-10	Identify its 10 oldest FOIA requests and provide estimated completion dates using Snapshot data	11/30/2006	12/15/2006	✓
06-11	Conduct FOIA site Visits	12/1/2006	12/31/2006	✓
07-3	Analyze annual FOIA report to identify offices with backlogs	2/1/2007	3/1/2007	✓
07-4	Solicit and analyze in-depth backlog data call from selected field facilities	2/15/2007	3/15/2007	✓
07-5	Examine procedures in offices with backlogs	2/1/2007	3/1/2007	✓
07-6	Identify frequently requested records and post them on the VA FOIA web site	3/1/2007	10/1/2007	✓
07-7	Identify possible backlog solutions	3/1/2007	5/1/2007	✓
07-8	Conduct FOIA site Visits	3/1/2007	5/1/2007	✓
07-9	Develop a plan to reduce FOIA Backlog	5/1/2007	5/15/2007	✓
07-10	Implement Proposed backlog solutions	5/15/2007	6/1/2007	✓
08-11	Continue FOIA site Visits	1/1/2008	12/31/2008	

<b>Training Milestones</b>				
<b>ID</b>	<b>Action to be Completed</b>	<b>Start</b>	<b>Finish</b>	<b>Complete</b>
07-14	Establish baseline skills and knowledge for FOIA Officers	7/1/2007	8/1/2007	✓
07-15	Establish a requirement for annual training and awareness initiatives	7/15/2007	8/1/2007	✓
07-16	Design a comprehensive FOIA Training Program targeted for primary and alternate VA FOIA Officers	8/1/2007	10/1/2007	✓
07-17	Investigate web-based and/or video training	8/1/2007	10/12/2007	✓
07-18	Implement Training of FOIA Officials and Staff	10/1/2007	12/31/2007	✓
08-10	Review and assess Training Requirements	9/1/08	12/31/2008	
<b>Customer Service &amp; Communications Milestones</b>				
<b>ID</b>	<b>Action to be Completed</b>	<b>Start</b>	<b>Finish</b>	<b>Complete</b>
06-6	Standardize Initial Notice of Determination response	11/20/2006	12/31/2006	✓
08-1	Improve customer information (refine web site develop and distribute printed materials)	1/1/2008	1/31/2008	✓
08-2	Gather customer feedback	1/1/2008	1/31/2008	✓
08-3	Respond and make improvements to identified areas	2/1/2008	3/1/2008	
<b>Technology &amp; Automation Milestones</b>				
<b>ID</b>	<b>Action to be Completed</b>	<b>Start</b>	<b>Finish</b>	<b>Complete</b>
08-4	Research and review existing internal VA FOIA software products	3/1/2008	4/1/2008	
08-5	Research and review existing GOTS FOIA software products	4/1/2008	5/1/2008	
08-6	Research and review existing COTS FOIA software products	5/1/2008	6/1/2008	
08-7	Implement selected software product solution	6/1/2008	9/1/2008	