



**U.S. Department of Labor  
2010 Chief FOIA Officer Report  
(March 15, 2010)**

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**Part I: Steps Taken to Apply the Presumption of Openness**

**1. Description**

The U.S. Department of Labor (DOL) has taken several steps at the Departmental level to ensure that President Obama's instructions regarding the "Presumption of Openness" are carried out to the fullest. Immediately upon receipt of the January 21, 2009 memoranda, the Department disseminated the information to all Agency Heads. In addition, the Office of the Solicitor (SOL) promptly forwarded the instructions to all personnel with FOIA responsibilities.

Over the past year, the Department has engaged in several activities that were specifically designed to foster the President's agenda involving accountability and openness in government. The following is a listing of FOIA activities that demonstrate support of this initiative:

- **2009 Annual FOIA Training Conference**

On June 2-3, 2009, the Office of the Solicitor hosted a 2009 Annual Freedom of Information Act (FOIA) Training Conference in Washington, D.C. Guest speakers included the Deputy Secretary of Labor; the Director, U.S. Department of Justice (DOJ) Office of Information and Policy; and the Chief of Staff, DOJ - Office of Information and Policy.

The two day event was designed to train Department of Labor access professionals on a variety of topics that included the following:

- ◇ FOIA Process
- ◇ FOIA Exemptions
- ◇ OPEN Government Act of 2007
- ◇ FOIA 3<sup>rd</sup> Party Subpoena Litigation Issues
- ◇ FOIA Appeals Best Practices
- ◇ Secretary's Information Management System for FOIA (SIMS-FOIA)
- ◇ **President Obama's Vision of the "New Era in Government"**

With just under three hundred participants, the "Accountability, Transparency and Openness in Government" themed Conference was an excellent opportunity for Department of Labor FOIA/Privacy professionals from across the nation to meet the Deputy Secretary and become inspired by the Department's commitment toward carrying

out all of the guidelines set forth within President Obama's "Freedom of Information Act Memoranda."

- **Quarterly Departmental FOIA Meetings**

During FY 2009, the Department of Labor held quarterly FOIA meetings for lead Departmental FOIA representatives. The purpose of the meetings was to offer guidance regarding a variety of ongoing FOIA issues, as well as to cultivate a culture change that would allow FOIA staff to operate within the mindsets that would enable them to apply a presumption of openness when performing FOIA responsibilities.

- **2009 FOIA Webinar**

On July 21, 2009, the Department's Counsels for Administrative Law, FOIA, FACA and Privacy instructed a webinar for all DOL attorneys who are assigned FOIA duties. The webinar was designed to review FOIA administrative process, as well as to expound upon President Obama's January 21, 2009 memoranda. Thereby fostering the Department's commitment to administer FOIA with a clear presumption that openness prevails.

- **Department of Justice (DOJ) Briefing Attendance**

During FY 2009, DOL FOIA representatives attended the following DOJ training sessions:

- Guidance on the Preparation of FOIA Annual Reports
- Attorney General Holder's New FOIA Guidelines
- FOIA Public Liaison Training
- Chief FOIA Officer Report Briefing

In addition to departmental efforts, individual components within DOL have conducted separate activities that have displayed a commitment to openness. The following is a list of some of their actions:

- The increase of FOIA training to personnel;
- The provision of written instructions to from component FOIA Coordinators to their disclosure officers, to ensure that all decisions involving FOIA adhere to the guidelines of the President and Attorney General;
- The review of FOIA operations to determine compliance with Open Government requirements;
- Increasing the use of information technology to respond to FOIA requests; and
- Expanding access by making information available on-line in various formats (HTML & PDF)

**Note:** Due to the decentralized nature of DOL's FOIA Program, discretionary disclosures have not been centrally tracked. However, discussions are underway to establish an effective system for monitoring this vital information.

## ***DOL Component Responses:***

### **Occupational Safety and Health Administration (OSHA)**

OSHA FOIA support activity reflects the President's guidance about transparency in government. FOIA requests are reviewed carefully to ensure that FOIA exemptions are not applied unless they are needed to meet the critical exceptions of the FOIA. Reports, data and information concerning organizations inspected, OSHA archived data and information about ongoing projects are reviewed with the presumption of openness and that there is information that may be released to the public. Steps taken include:

- Distributed the President's memorandum and the Open Government directive to all OSHA FOIA representatives with guidance to ensure that FOIA requests are reviewed with a presumption of openness.
- Review of OSHA FOIA appeals and tracking where the DOL Solicitor's Office has granted appeals and overturned, with reference to the Open Government directive, some FOIA exemption claims and allowed information to be sent to the requestor. OSHA will establish examples and recommendations to OSHA FOIA representatives about how certain FOIA requests may be granted without applying an exemption and denying the FOIA request.
- Produce reports that compare previous FOIA responses and current responses applying principles of Open Government.
- Majority of staff who manage OSHA FOIA support for their office attended national training provided by the Solicitor's Office in 2009.

OSHA employees have been provided guidance on discretionary disclosures. Examples of discretionary disclosures that OSHA offices are making include the following:

- 1) Draft documents (for example, when no harm would be made to the agencies' decision-making process);
- 2) Recommendations made by OSHA inspectors or investigators (for example, when no harm would occur to the agencies' decision-making process);
- 3) Notes taken by OSHA inspectors (when they do not contain confidential business information and/or material that is predecisional or recommendational); and
- 4) Numerical rating of the safety and health programs at a facility that was inspected by an OSHA inspector

### **Office of Federal Contractor Compliance Programs (OFCCP)**

In accordance with the policy set forth in Attorney General Holder's memorandum dated March 19, 2009, OFCCP FOIA professionals are instructed to withhold records only when 1) the agency reasonably foresees that disclosure would harm an interest protected by one of the statutory exemptions, or 2) disclosure is prohibited by law. In an effort to

foster transparency regarding agency operations and outcomes, OFCCP makes discretionary disclosures of raw performance-related data from its case management system that could otherwise be withheld pursuant to FOIA exemptions.

OFCCP's FOIA Coordinator attended training offered by the Department of Justice on the Attorney General's new FOIA guidelines. All regional FOIA professionals were afforded the opportunity to attend SOL's FOIA training conference on June 2-3, 2009. Both President Obama's and Attorney General Holder's guidance memorandums were distributed to all agency personnel with FOIA duties.

### **Office of Labor Management Standards (OLMS)**

The Office of Labor-Management Standards (OLMS) follows the Department of Labor policy to disclose information to the maximum extent practicable. See 29 C.F.R. §70.3. In addition, OLMS now evaluates each FOIA request in the context of President Obama's January 21 FOIA Memorandum. Where FOIA exemptions might apply, OLMS examines the material for discretionary disclosure, barring the foreseeable harm standard outlined in the aforementioned memorandum. OLMS did not track its discretionary disclosures for Fiscal Year 2008. Since the issuance of the new FOIA guidelines, OLMS has provided discretionary disclosure of documents within the public domain despite the existence of a pending investigation (Exemption 7(A)) in one case. In another case, OLMS has also provided some Exemption 5 material to a legal aid organization, and anticipates releasing more of this type of material in response to an amended request.

### **Office of Workers Compensation Programs (OWCP)**

OWCP engaged in staff training and consultation with SOL on FOIA requests involving privacy issues. At present, the agency does not have statistics regarding discretionary disclosures. However, all FOIA staff has been briefed regarding the importance of President Obama's January 2009 FOIA memoranda.

### **Wage and Hour Division (WHD)**

All FOIA Coordinators and their supervisors (both from the National Office (NO) and all five Regions) attended the two day SOL FOIA training held on June 2-3, 2009. Regional FOIA staff has been strongly encouraged to contact the WH FOIA Coordinator if they have any questions regarding FOIA policy. Consistency of responses is a very high priority.

The Acting Director of the Division of Enforcement Policy reviews all NO FOIA responses prior to them being mailed to the requestor. This is done both for technical accuracy and consistency.

In ongoing FOIA litigation regarding a request for records concerning the drafting of three Wage and Hour Division opinion letters, the records that were being withheld were re-reviewed after issuance of the Holder FOIA Memorandum. As a result of this review, approximately 1,000 pages of additional material were disclosed.

## **Mine Safety and Health Administration (MSHA)**

MSHA distributed President Obama's memo and Attorney General Holder's FOIA guidelines to all Disclosure Officers and FOIA Coordinators. Training was provided within MSHA HQ and teleconference to the field offices. Our employees have also attended training given by the DOL as well as outside vendors. In addition to training, we have provided written instructions to our FOIA Coordinators to ensure all decisions involving FOIA adhere to the guidelines of the President and Attorney General. The Assistant Secretary has communicated to all staff his support of the President's presumption and his intent that all FOIA requests be answered consistent with the "presumption of openness."

Since the issuance of the new FOIA Guidelines, MSHA no longer uses exemption low 2. Records that were withheld under this exemption are now being released. Some examples are: 1) cc and bcc sections on correspondence and 2) administrative handbooks.

The agency has reduced its withholding of information under exemption 5. This exemption is only applied when there is a clear presumption of harm if the information was disclosed. Specific examples would include opinions, legal and analysis memos. MSHA used to withhold this information in its entirety. These documents are now reviewed to disclose portions and at times entire documents.

## **Employee Benefits Security Administration (EBSA)**

The President's letter and guidance were distributed throughout the agency.

Statistics/Examples – Provided guidance to no longer use the low 2 Exemption.

## **Employment Training Administration (ETA)**

When partial or total denials are considered under Exemptions 2, 5, and 7, the ETA FOIA office and FOIA coordinators (in concert with ETA senior program leadership, and the Employment and Training Legal Services (ETLS) division of the Office of the Solicitor) review the requested records and engage in a multi-tier resolution process to consider discretionary disclosure before any denial under 2, 5, or 7 is approved. During the final phase of this process, ETLS clearance is sought to determine whether the denial meets current DOJ guidelines, as well as to settle any unresolved consensus on disclosure.

As a result of this multi-tier process, the number of full grants and partial denials has consistently increased. Another benefit of the increase in discretionary releases is that the amount of processing time has decreased.

## **Office of the Assistant Secretary for Administration and Management (OASAM)**

On January 22, 2009 – just one day after the President's FOIA memorandum was issued – the Director of the Center for Program Planning and Results forwarded the memorandum to all OASAM Center Directors and Regional Administrators – with an additional message indicating

that the President “indicates that we should administer the FOIA with the ‘clear presumption’ that ‘openness prevails.’”

With an aim of ensuring OASAM-wide compliance of the President’s January 21 FOIA memorandum, CPPR staff continue to proactively review and monitor OASAM FOIA responses.

Discretionary disclosures are not currently being tracked by this agency, thus, OASAM is unable to provide such statistics or comparisons.

## **Office of Administrative Law Judges (ALJ)**

The United States Department of Labor, Office of Administrative Law Judges conducts formal hearings under the Administrative Procedure Act pursuant to wide variety of labor-related topics. Since the ALJ proceedings conducted by the Office of Administrative Law Judges are public, case files are available for public inspection under the Freedom of Information Act. Consistent with the January 21, 2009 memorandum, OALJ starts with the presumption that all filings with an ALJ are releasable pursuant to a FOIA request.

During Fiscal Year 2009, OALJ received 125 FOIA requests. OALJ had zero full denials, two EX4 partial denials, and nine EX6 partial denials. The EX4 partial denials were non-discretionary. The EX6 partial denials were minimal (e.g., redaction of Social Security Numbers and home addresses of pro se litigants).

## **Veterans’ Employment and Training Service (VETS)**

The Veteran’s Employment and Training Services has been following the President’s guidelines on transparency and accountability. National Office and Regional FOIA staff members have been sent to training in order to upgrade skills and learn more about the Open Government Directive. Greater latitude in presuming a requester’s entitlement to information is applied to decisions involving requests where no harm to individual or agency is presumed.

Statistics/Examples:

On the average one out of every ten FOIA requests received by VETS is for individual, first party claimant investigative files. Our agency’s second most requested disclosure is for Congressional/Senatorial correspondence activity.

At this time, VETS does not have specific data regarding its number of discretionary disclosures. However, full disclosure is common for most FOIA requests that are for first person records for investigative files requiring minimal exemptions to protect witnesses, or inter/intra-agency investigative technique-communication.

## **Office of the Inspector General (OIG)**

Office of the Inspector General FOIA personnel has reviewed President Obama’s memoranda regarding presumption and has implemented policy accordingly. For example, OIG is identifying harm from release before withholding information under Exemption 5.

Examples:

Analyzing emails containing inter/intra-agency communications  
Who are the parties?  
What is the issue/decision?  
When did it take place?  
How release could cause harm?

## **Bureau of Labor Statistics (BLS)**

BLS reviewed its FOIA operations and several aspects of its FOIA program to determine compliance with the FOIA's requirements. The review included other agency improvement plans and websites.

The following areas were assessed to determine whether a clear presumption is being applied to all decisions involving FOIA:

- The accessibility of public information posted on the BLS website;
- BLS' administration of the FOIA, including abiding by statutory time limits;
- Increasing FOIA training to personnel; and
- The use of information technology to respond to FOIA requests.

We've concluded that the BLS FOIA Program reflects clear presumption applied to FOIA requests through BLS' administration of the FOIA, which includes but is not limited to, increased awareness and knowledge of FOIA requirements among its personnel; accessibility of public information through BLS media online; and through the use of information technology.

The BLS has not had the opportunity to utilize discretionary disclosures, and therefore, does not have any examples or statistics, at this time.

## **Adjudicatory Boards (Adj Bds)**

The Adjudicatory Boards FOIA Coordinator attended the 2009 FOIA Training Conference in June 2009.

## **Women's Bureau (WB)**

The Women's Bureau (WB) will continue to work to ensure transparency, participation, and collaboration by: providing or disclosing all available information with the exception of information that may be withheld pursuant to exemptions contained in the statute; continue to make information publically available on the WB Website including guidance for submitting FOIA requests; providing a link to the WB FOIA Service Center for the purpose of checking the status of FOIA appeals; and finally continuing to coordinate and collaborate with Departmental FOIA Leadership, FOIA Coordinators within DOL, across levels of government, and between Government and private institutions.

The Women's Bureau has reviewed its files and determined that no discretionary disclosures have been made since the issuance of the new FOIA guidelines.

### **Office of Disability Employment Policy (ODEP)**

ODEP receives few FOIA requests each year and always responds within the established timeframes. The ODEP FOIA Coordinator also attended the DOL 2009 FOIA Training Conference.

### **Office of the Assistant Secretary for Policy (ASP)**

Because OASP handles a relatively small number of FOIA requests, we adhere to the guidance SOL provided to all DOL agencies regarding the presumption of openness and transparency.

At this time, there are no discretionary statistics to report.

### **Office of Congressional and Intergovernmental Affairs (OCIA)**

OCIA rarely receives FOIA requests. However, FOIA staff has appropriately been briefed regarding the Obama Memoranda.

OCIA has not had an opportunity to issue discretionary disclosures.

### **Bureau of International Labor Affairs (ILAB)**

ILAB has taken great steps to expand access by making information available on-line in various formats (HTML & PDF). The information can be retrieved, downloaded, and searched by commonly used web applications.

Statistics/Examples:

#### **Executive Order 13126**

For the EO initial determination list last year, we published the bibliographies on the EO webpage: <http://www.dol.gov/ILAB/regs/eo13126/main.htm>

We also published additional information on [www.regulations.gov](http://www.regulations.gov) related to the Final Determination for the EO 13126 list (we also have a link to that website on the EO webpage above). This material is comprised of all public comments we received as well as records of any meetings we had with outside parties.

#### **Evaluations**

We have started to put some evaluations on the web and will continue throughout the year to add more. Previously, evaluation reports had to be obtained through FOIA. They are available at: <http://www.dol.gov/ilab/programs/ocft/oversight.htm> . We hope to add 8 more evaluations on the web by the end of March and 13 more by the end of the fiscal year.

#### **Audits**



We are in the process of adding this to the website but they are currently not on the web. We are working with SOL to develop proper procedures to protect confidential and proprietary information using FOIA as our guide. We hope to have 6 audits on the web by the end of next quarter (June) and 6 more by the end of the fiscal year.

## **TVPRA**

The following reports are products of a research contract with ICF Macro/Macro International. They were cited for the TVPRA Initial List and, since they were not previously published, would have required a FOIA request had ILAB/OCFT not decided to post them on the website:

Summary Report: Child Labor, Forced Labor, and Forced Child Labor in China July, 2009  
(PDF)

In-country Research and Data Collection on Forced Labor and Child Labor in the Production of Goods — India (PDF)

In-country Research and Data Collection on Forced Labor and Child Labor in the Production of Goods — Nepal (PDF)

OCFT is in the process of preparing four similar studies for release on the web.

## **OCFT Technical Cooperation Project Summaries**

OCFT has posted over 150 technical cooperation project summaries to the ILAB map page. They are grouped by region/country and there is also a separate webpage for our global projects. Each country page and the global page display the active projects first followed by closed projects. Each project is listed by the formal title of the project and has both HTML and PDF versions.

We have also posted a complete list of our technical cooperation projects on the website. Below are the links:

Africa

Americas

Asia

Europe, the Middle East, and North Africa

Global Projects

Domestic Projects

ILAB did not make any discretionary disclosures. At this time, the agency does not have any examples or statistics to provide for this report.

## **Office of the Chief Financial Officer (CFO)**

Senior staff was briefed on the President's directive in 2009 and informed of the presumption of openness. All incoming requests are reviewed and responsive materials are provided, even in cases where exemptions could be used.

We disclose information that may be exempt under the "low 2" aspect of Exemption 2, such as additional administrative details on travel vouchers, authorizations, etc. Most FOIA requests we receive do not lend themselves to other types of discretionary disclosures; sometimes we have to

withhold under Exemptions 6, 7(c), and 7(e), exemptions which do not give much latitude to exercise discretion.

## **Office of Public Affairs (OPA)**

The OPA staff member assigned to FOIA was trained regarding President Obama's FOIA memoranda during the DOL 2009 FOIA Training Conference.

## **<sup>1</sup>Office of Small Business Programs (OSBP)**

The Office of Small Business Programs is a small outreach agency without regulatory responsibility. The agency prepared a web page for FOIA requests and confers with the Office of the Solicitor for guidance regarding processing requests. OSBP FOIA staff attended the 2009 FOIA Training Conference.

## **Office of the Solicitor (SOL)**

The Office of the Solicitor has taken several steps to ensure that presumption is being applied to all decisions involving FOIA. Agency FOIA staff has successfully briefed departmental personnel of all levels regarding the importance of the Open Government Act of 2007, President Obama's FOIA Memoranda and the Office of Management and Budget's Open Government Directive.

In June 2009, the agency hosted the 2009 FOIA Annual Training Conference in which transparency and accountability was the theme. The conference was attended by approximately 300 FOIA Coordinators and Disclosure Officers from around the country.

Additionally, during July 2009, SOL conducted a FOIA webinar in which departmental attorneys who are assigned FOIA duties were trained regarding the President's January 2009 FOIA memoranda and Attorney General Holder's FOIA guidance.

During FY 2009, the agency spent a significant amount of time briefing departmental personnel of all levels regarding the importance of the new changes within FOIA.

## **Job Corps (JOB CORP)**

Job Corps has taken steps to ensure the presumption of openness is being applied in response to all FOIA requests. The agency is continuously reviewing its web site to ensure that all information is updated in accordance with the FOIA guidelines. The agency is currently reviewing its system of records in order to determine which routine requests should be posted to the Web site

<sup>1</sup>Due to departmental restructuring, the Office of Small Business Programs is no longer an agency. The functions of the Office are now being provided by the Office of the Assistant Secretary for Administration and Management.

The National Office of Job Corps receives requests pertaining to student records, program data, and contractual information. Requests for contractual information are forwarded to OASAM for review and release determination.

Since the new issuance, Job Corps has experienced an increase in the number of requests for program data. For example, prior to the new guidelines the program exempted the Center Report Card (OMBS10). The Center Report Card is one of two systems that assess center performance. Based on the new issuance we are able to disclose the document to the public, and the document is posted to our public website.

In FY 2008 Job Corps received a total of 8 requests. In FY 2009, we received a total of 49 requests.

## 2. Disclosure Comparisons

*Report whether your agency shows an increase in the number of requests where records have been released in full or where records have been released in part when compared with those numbers in the previous year's Annual FOIA report.*

	2008	2009
<b>REQUESTS PROCESSED</b>	<b>20,970</b>	<b>16,810</b>
<b>FULL GRANTS</b>	<b>4,706</b>	<b>4,684</b>
<b>PARTIAL GRANTS</b>	<b>7,750</b>	<b>6,664</b>

During FY 2009, the Department of Labor processed 16,810 requests under FOIA. Of the 16,810 requests, 11,348 consisted of a combination of full and partial grants. This means that **67.5%** of the total number of processed requests resulted in a release of information. These statistics demonstrate a direct correlation between the Department's adaptation of the presumption of openness and an increase in information being granted. At the same time, it should be noted that a significant majority of FOIA requests received by DOL's enforcement program (OSHA, WHD, MSHA, etc.) requests are for enforcement files that contain personal information and confidential witness statements protected by exemptions 7(C) and 7(D) and therefore result in partial grants. Therefore, DOL does not expect to see future significant increases in the number of requests that are granted in full or in part from these agencies.

The Department remains committed to the effort of ensuring that FOIA is being administered with the spirit of openness and that the attitude of presumption prevails.

### *DOL Component Responses:*

#### **OSHA**

The OSHA Annual FOIA Report for 2008 showed more FOIA requests (12, 646) than received in 2009 (10,330). The percentage of requests received versus requests released for those numbers was about the same. OSHA continues its process of reviewing the agency's FOIA activity to develop comparative statistics that will show how a FOIA request may have previously received

exemptions to deny a request, but upon applying the Open Government Directive, similar requests would be approved.

A report on that data will be shared with OSHA management and FOIA representatives to ensure that a culture of openness is in place and being applied to OSHA FOIA requests. An active review of appeals is ongoing and data is pending.

### **FY 2008**

**Full Grants = 687**  
**Partial Grants = 5,912**

### **FY 2009**

**Full Grants = 651**  
**Partial Grants = 4,878**

## **OFCCP**

	<b>Granted in Full</b>	<b>Granted in Part</b>
<b>FY 2008</b>	<b>16%</b>	<b>24%</b>
<b>FY 2009</b>	<b>18%</b>	<b>23%</b>
<b>FY 2010 (1<sup>st</sup> Quarter)</b>	<b>17%</b>	<b>30%</b>

## **OLMS**

OLMS does not yet show an increase in the number of requests where records have been released in full or where records have been released in part when compared with those numbers in the previous year's Annual FOIA report.

In Fiscal Year **2008**, OLMS processed 27 full grants and 11 partial grants.

In Fiscal Year **2009**, OLMS processed 10 full grants and 23 partial grants.

## **OWCP**

The number of requests where records have been released in full or in part have decreased by one for both categories from the previous year's annual FOIA report. This is due to an increase in the number of requests for personal identifiable information (PII) that is subject to Exemption six.

**FY 2008:** Full Grants = 671 Partial Grants = 33

**FY 2009:** Full Grants = 458 Partial Grants = 20

## **WHD**

For FY 2008 47% of all completed FOIAs were Granted in Part and 3.5% of all completed FOIA's were Grand in Full.

For FY 2009 55% of all completed FOIAs were Granted in Part while 7% were Granted in Full. This is an 8% increase over 2008 in the number of partial grants and a 3.5% increase in the number of full grants.

For the first quarter of 2010 63% of all completed FOIAs were Granted in Part while 10% were Granted in Full.

### **FY 2008**

60 - Full Grants  
804 - Partial Grants

### **FY 2009**

74 - Full Grants  
660 - Partial Grants

## **MSHA**

There has been an increase in the number of records released in part when compared with the previous year. We also have encouraged FOIA staff to no longer use exemption “low” 2 to withhold information. The agency only uses exemption 5 when there is a clear presumption of harm if the information was disclosed. There has been a decrease in the number of times these exemptions were applied.

**Number of full grants in 2008:** 741

**Number of full grants in 2009:** 690

**Number of partial grants in 2008:** 568

**Number of partial grants in 2009:** 600

## **EBSA**

EBSA had 1,941 full grants in 2009 compared to 1,802 in FY 2008. The rate is that slightly over 90% of EBSA’s FOIA requests are granted in full. The number of partial grants increased from 54 in 2008 to 70 in 2009.

## **ETA**

As a result of ETA’s commitment toward applying the presumption of openness, the number of full grants and partial denials has more than doubled from 2007 to 2009 annual reports, reflecting a distinct trend towards disclosure, in both full and partial releases.

In 2007, ETA processed 255 full grants and 58 partial releases; for 2008, full grants increased to 292 and partial releases nearly 112; during FY2009, ETA processed 531 full grants and 137 partial releases, more than double 2007 stats for both full and partial releases.

## **OASAM**

OASAM determined no increase in the number of requests where records were released in full or in partial when compared to previous years.

### **2008**

47 – Full Grants  
75 – Partial Grants

### **2009**

39 – Full Grants  
62 – Partial Grants

## **ALJ**

During fiscal year 2008, OALJ had 126 full grants and 10 partial grants compared to 94 full grants and 9 partial grants during fiscal year 2009.

## **VETS**

Most requests to our Agency are requests for case records handled at the regional level. Regional records requested under FOIA are claimant requests for USERRA investigative files. As such, records are generally released in full, protecting only that information which is covered under the FOIA exemptions where harm may be caused to individuals or the agency, PII, or inter/intra-agency investigative information. Reports have similar statistical data as compared to the previous year's report.

<u>2008</u>	<u>2009</u>
39 – Full Grants	33 – Full Grants
58 – Partial Grants	76 – Partial Grants

## **OIG**

OIG has one Disclosure Officer who is working with the IT program to refine its FOIA tracking system for functionality and reporting queries.

During FY 2009, OIG did show an increase in the number of records released in full or in part when compared to the previous annual report.

	<u>2008</u>	<u>2009</u>
<b>FULL Grants</b>	<b>14</b>	<b>6</b>
<b>PARTIAL Grants</b>	<b>18</b>	<b>23</b>

## **BLS**

No increased in the number of requests where records have been released in full or in part when compared with previous annual reports.

<u>2008</u>	<u>2009</u>
8 – Full Grants	5 – Full Grants
9 – Partial Grants	6 – Partial Grants

## **Adj Bds**

During FY 2009, there was not an increase in the number of records being released in full or in part.

<u>2008</u>	<u>2009</u>
17 – Full Grants	12 – Full Grants
2 – Partial Grants	0 – Partial Grants

## **WB**

The Women's Bureau has not shown an increase in the number of requests where records have been released in full or where records have been released in part when compared to the numbers in the previous year's Annual FOIA report.

### **2008**

5 – Full Grants  
4 – Partial Grants

### **2009**

1 – Full Grants  
0 – Partial Grants

## **ODEP**

ODEP numbers remain relatively the same.

### **2008**

0 – Full Grants  
0 – Partial Grants

### **2009**

0 – Full Grants  
0 – Partial Grants

## **ASP**

ASP numbers are too small to show a trend.

### **2008**

0 – Full Grants  
2 – Partial Grants

### **2009**

0 – Full Grants  
1 – Partial Grants

## **OCIA**

OCIA rarely receives FOIA requests. Therefore, there is nothing to report.

### **2008**

7 – Full Grants  
0 – Partial Grants

### **2009**

0 – Full Grants  
0 – Partial Grants

## **ILAB**

ILAB does not receive a large number of FOIA requests; however, it has shown an increase in the number of requests released in full based on the presumption of openness in government.

### **2008**

5 – Full Grants  
1 – Partial Grants

### **2009**

12 – Full Grants  
2 – Partial Grants

## **CFO**

OCFO has received more FOIA requests so far this year compared to historical norms. Full or partial disclosures have followed historical norms. When OCFO has records, it has made either a full or partial disclosure 100 percent of the time.

**2008**

7 – Full Grants  
0 – Partial Grants

**2009**

2 – Full Grants  
7 – Partial Grants

**OPA**

OPA has not shown any increase in the number of FOIA requests where records were released.

**2008**

0 – Full Grants  
0 – Partial Grants

**2009**

4 – Full Grants  
0 – Partial Grants

**OSBP**

The Office of Small Business Programs did not have an increase in the number of requests where records have been released in full or were released in part when compared with those numbers in the previous year’s Annual FOIA report.

**2008**

7 – Full Grants  
0 – Partial Grants

**2009**

0 – Full Grants  
0 – Partial Grants

**SOL**

2008	2009
1 – Full Grant	5 – Full Grants
3 – Partial Grants	8 – Partial Grants

During FY 2009, the Office of the Solicitor processed 18 FOIA requests. Out of 18 requests, 13 were a combination of full grants and partial grants. One request was a full denial and four were referred to another component for processing. These statistics demonstrate that **72%** of the total number of requests processed, consisted of information being released to the requestor.

During FY 2008, the agency processed six requests. Of the six, four were a combination of full grants and partial grants, and two were full denials. These statistics show that **66%** of the total number of requests processed, consisted of information being released to the requestor.

The FY '09 statistics serve as an indicator that SOL has received positive results from administering FOIA with a clear presumption that openness prevails.

**JOB CORP**



Due to the President's new policy encouraging openness in releasing documents to the public, Job Corps has experienced an increase in the number of FOIA requests from the previous year for documents that we have exempted in part or whole. In 2009 Job Corps FOIA requests increased by 100%.

<u>2008</u>	<u>2009</u>
3 – Full Grants	18 – Full Grants
1 – Partial Grants	3 – Partial Grants

## **Part II: Steps Taken to Ensure that Your Agency has an Effective System for Responding to Requests**

The Department of Labor has a decentralized FOIA program to meet the needs of our FOIA customers. DOL's most frequent type of FOIA request is a request from an attorney or an individual engaged in or contemplating, private litigation related to a matter investigated by one of DOL's enforcement agencies. For example, an attorney pursuing a wrongful death action against a manufacturer of a piece of industrial equipment that was involved in a workplace accident investigated by OSHA will request OSHA's investigation file. As a result, each agency has been given flexibility to design a program that meets its needs. Most agencies have delegated their disclosure responsibilities to officials at the Office Director or Division Chief level in Washington, as well as to their regional offices. Others have delegated their field FOIA responsibilities to district or area offices. Conversely, some small agencies handle all of their FOIA requests centrally in Washington, DC. The differing agency practices are explained partly by the number of requests that agencies receive and partly by the nature of the programs they administer.

The Office of the Solicitor serves as the focal point for FOIA activities within the Department. SOL houses the Department's Chief FOIA Officer. In addition, the SOL Management and Administrative Legal Services Division (MALS) houses the Counsel for FOIA, FACA and Privacy and the Counsel for FOIA Appeals. These counsel areas are responsible for providing department-wide guidance regarding FOIA compliance, making administrative appeal determinations, defending FOIA litigation, as well as FOIA performance measurement and reporting requirements, including the FOIA Annual Report.

In light of all of the recent changes that have occurred within the FOIA arena, the Department established a fully functional centralized FOIA control and tracking system. Effective October 1, 2008, the Department of Labor implemented a requirement that the Secretary's Information Management System for FOIA (SIMS-FOIA) be used by all DOL Disclosure Offices.<sup>2</sup>

<sup>2</sup>The only exception to this mandate is the Office of the Inspector General (OIG). Due to the confidentiality of its requests, OIG is unable to fully use SIMS-FOIA. Instead, the agency has developed a comparable system that is totally separate and distinct from the Department's system.

**In addition to tracking and control of requests, the SIMS-FOIA database captures the necessary data required for monitoring agency backlog, as well as the completion of the Department of Labor FOIA Annual Report. Departmental information technology contract staff is available to assist Disclosure Offices with troubleshooting, as well as various other issues involving the system.**

### ***DOL Component Responses:***

#### **OSHA**

OSHA is in the process of evaluating, analyzing and improving its FOIA support to meet the needs of the public and address the Open Government directive. The following steps are being taken to ensure that FOIA representatives have guidance and direction to provide effective and efficient FOIA support:

- Evaluating current training and support methods for updating and enhancing FOIA support throughout the agency.
- Sharing IT guidance with FOIA representatives for use of SIMS-FOIA to ensure a database exists for tracking FOIA requests and developing reports from SIMS-FOIA data.
- Collecting information from FOIA representatives regarding SIMS-FOIA issues and making recommendations to the SIMS-FOIA software team for improvements and enhancements.
- Making recommendations for improved IT support through participation in SIMS-FOIA software enhancement meetings and Solicitor Office FOIA meetings.

#### **OFCCP**

OFCCP has disclosure officers in its National Office and all six of its regional offices. Accordingly, the agency has a designated FOIA coordinator in the National Office and a FOIA liaison for each of its six regional offices. All agency FOIA professionals utilize the SIMS/FOIA tracking system. The FOIA coordinator oversees the agency's FOIA caseload and provides support and technical guidance to FOIA liaisons.

The agency's Information Technology Branch supports the FOIA coordinator on an as needed basis. Support functions include, but are not limited to:

1. Furnishing PCs and internet access to all agency FOIA staff.
2. Providing access to agency databases to facilitate the performance basic searches.
3. Extracting and formatting raw data from the agency's case management system for response to FOIA requests.
4. Performing complex searches of agency databases.
5. Managing the content of the agency's website.

#### **OLMS**

OLMS employs a designated FOIA professional whose primary responsibility includes processing FOIA requests. This individual is assisted by IT professionals and other OLMS personnel, in web development and redacting frequently requested audit reports and final agency decisions for posting to the OLMS website.

OLMS IT support has been instrumental in securing redaction software to expedite FOIA processing and in obtaining fee estimates for FOIA requests for information in the OLMS Case Data System. The OLMS FOIA professional maintains accurate files on all FOIA requests and appeals, and keeps meticulous records detailing the status of each request.

## **OWCP**

The Office of Worker's Compensation Programs utilizes technology to track and complete FOIA requests. When warranted, some of the divisions within the Program have assigned a Division FOIA Coordinator and have weekly updates on pending and overdue FOIAs. The agency also work closely with SOL for guidance on technical and legal issues.

OWCP relies on two levels of IT support to ensure that they can meet our obligations to satisfy FOIA requests:

The Department provides the first level of IT support with the Secretary's Information Management System (SIMS)-FOIA application with which OWCP tracks FOIA requests and submits responses. In addition to the SIMS-FOIA application, Department information technology center (ITC) staff is available to provide assistance with using the application and in ensuring that the electronic records are maintained for historical purposes.

OWCP's Division of Information Technology and Management & Services is directed to provide IT support to our programs for the research and output of electronic records needed to address a FOIA request. For example, OWCP occasionally receives FOIA requests from newspapers asking for extracts of data stored in our databases. In these cases DITMS assists the program staff by implementing data queries to extract the information requested, then further assists by providing support to ensure that the requested data is copied to appropriate media and encrypted if required.

## **WHD**

In addition to the training provided by SOL, Wage and Hour conducted its own one day training on June 4, 2009 for all FOIA staff nationwide. Outside presenters included DOL Counsels for FOIA and Administrative Law. WH presenters were the Deputy Director for Enforcement Policy, the Deputy Director for the Office of Interpretation and Regulatory Analysis and the WH FOIA Coordinator. All presentation material was approved through the Deputy Administrator for Enforcement Policy (an SES position). Post evaluation forms completed by WH participants confirmed that this training was a resounding success.

WHD has provided IT staff with necessary FOIA training. During the past year, the agency has set up procedures that FOIA/IT uses to obtain responsive information in a more efficient and effective manner.

## **MSHA**

The FOIA Officer has met with Program Areas to identify ways to streamline the review process when responding to requests. Requests will be reviewed and cleared by the Mine Safety and Health Division of the Solicitor's Office which has resulted in a reduction of processing time. MSHA provides a template to Coordinators to assist them in preparing responses. The FOIA staff work closely with the Public Affairs Office to identify those requests that can be processed as an information request instead of FOIA. The FOIA Officer works closely with the IT office to ensure the agency has sufficient IT support including computer hardware and software equipment and adequate space on network drives.

## **EBSA**

Each office in EBSA has identified a FOIA contact in addition to the Disclosure Officer to ensure that FOIAs assigned to each office are handled immediately. In addition, all EBSA employees with FOIA responsibilities have access to and use the FOIA SIMS system developed by the Department of Labor to track and manage the FOIAs that EBSA processes. The FOIA SIMS system notifies the appropriate personnel in each office when a FOIA has been assigned to that office. All staff have the appropriate equipment, network and FOIA SIMS access and training in order to perform this work.

## **ETA**

- ETA leadership has impressed upon all levels of program management the importance of responding to FOIA requests as well as the Department's commitment to the presumption of openness. We have provided guidance, training, and procedural instruction to Administrators, FOIA Liaisons as well as subject matter experts as a part of our daily and quarterly responsibilities. ETA FOIA professionals conduct telephone conferences and meetings with program management, regional staff, and ETLs counterparts to ensure efficient and accurate processing of requests.
- ETA provides weekly status reports to agency leadership and ARRA counterparts which monitors hot/sensitive and ARRA request processing, backlog and overdue reporting. Additionally, the ASET shares a detailed monthly report with ETA Program Administrators to ensure that the appropriate resources are provided to FOIA personnel responsible for processing these requests.
- ETA is now in the processing of reviewing and developing response templates for no records, partial releases, and third party notifications. We believe these templates will reduce the incidence of FOIA appeals and speed response time through our program offices.
- In efforts to increase efficiency and accuracy of FOIA operations, ETA has effected key roles and dual controls (primary and back-up) in each program office and implemented the Deputy Solicitor's protocol for gaining SOL clearance on media, hot/sensitive, or problematic requests as follows:

1. The ETA Agency Coordinator, under the direction of the Agency Disclosure Officer, reviews and acknowledges incoming requests passed to it from SOL and all hot/sensitive or ARRA related requests, as well as hot/sensitive requests served directly on program offices. The Agency Disclosure officer responds to all hot/sensitive requests thru the multi-tier approval process and delegates non-sensitive requests appropriately.
2. Program office FOIA personnel review responsive records and obtain disclosure recommendations from subject matter experts.
3. FOIA liaisons will alert the Agency Coordinator of any processing difficulties or discrepancies in disclosure recommendations, especially prospective denials under Ex. 2, 5, or 7.
4. The Agency Coordinator will work with liaisons and appropriate subject matter experts to answer any procedural or technical question or resolve any disclosure conflict. When necessary, any unresolved matter is escalated to the attention of the Agency Disclosure Officer for resolution with Program Administrators or ASET personnel.
5. Any unresolved denial or legal questions are forwarded to the ASET and ETLs for review and clearance through the Disclosure Officer before release or denial as appropriate.
6. The Agency Coordinator also produces weekly reports to document the progress or identify any processing delays for the review of the Agency Disclosure Officer and the appropriate program and agency leadership.
7. The Agency Disclosure Officer has implemented quarterly training, FOIA workshops, as well as made technical assistance and FOIA SIMS training available to all FOIA liaisons through the Agency Coordinator by appointment and from 9am to 2:30pm on Tuesdays and Thursdays.
8. Both the Disclosure Officer and Agency Coordinator conducted a regional FOIA webinar for the liaisons who were unable to travel to the mandatory SOL FOIA conference in June.

## **OASAM**

OASAM continues to take its FOIA responsibilities very seriously, which was demonstrated in November 2009 when CPPR dedicated a Management Analyst position (GS-13) and a new Director of the Office of Information Resources (GS-15), in order to place a renewed focus on the OASAM FOIA program, which includes serving as the disclosure office for the Office of the Secretary.

These individuals are responsible for ensuring compliance with the Freedom of Information Act, the President's January 21 FOIA memorandum and other related directives. The agency is also proactively consulting with the Department's legal staff to ensure the accuracy and consistency of OASAM FOIA responses.

CPPR's Office of Information Resources utilizes the SIMS-FOIA system to manage and track FOIA requests. This database allows users to monitor all activities related to the FOIA program. CPPR also implemented an internal data tracking system to supplement and ensure the accuracy of the SIMS database and utilizes Microsoft Outlook to create due-date markers to ensure more timely responses.

As noted, CPPR's Office of Information Resources utilizes the Secretary's Information Management System (SIMS) to manage and track FOIA requests. This database allows users to monitor all activities related to the FOIA program. CPPR also implemented an internal data tracking system to supplement and ensure the accuracy of the SIMS database and utilizes Microsoft Outlook to create due-date markers to ensure more timely responses.

Lastly, the status of pending FOIAs is provided to OASAM leadership on a weekly basis (both National Office and Regions).

## **ALJ**

The United States Department of Labor, Office of Administrative Law Judges is a relatively small agency. Most of the FOIA requests received by OALJ are routine requests for transcripts or other documents filed with an ALJ during an adjudication. Thus, OALJ typically does not have a backlog of FOIA requests, and usually easily meets the statutory and regulatory time frames for FOIA responses.

OALJ has provided training to judges and law clerks on the types of FOIA issues they are likely to encounter when adjudicating cases. Our FOIA coordinator is stationed at OALJ Headquarters in Washington, DC. The headquarters and district offices each have a senior staff member ("Special Assistant") who works closely with the FOIA coordinator to ensure timely responses to FOIA requests. If a FOIA request raises an unusual or difficult FOIA issue, the judge or FOIA coordinator will consult with OALJ's senior attorney. The senior attorney will contact the Office of the Solicitor if necessary to resolve FOIA issues. When appropriate, the Chief ALJ will be consulted for final decisions on FOIA determination.

OALJ is supported by a small IT division. The IT division supports proactive disclosures by maintaining systems that ensure the prompt posting of ALJ decisions and other reading room materials. The IT division also provides quality assurance relating to the posting. In addition, the IT division has been instructed to support the FOIA Coordinator as needed, and to give the FOIA Coordinator's IT needs the highest priority.

## **VETS**

Agency initiatives have been instituted to improve disclosure by instituting a multi-tier review and decision process that is intended not only to address the protection of information, but also to determine whether disclosure can be more inclusive.

When a FOIA request is received by the VETS, be it regional or national, they are entered into the SIMS-FOIA tracking system, then, processed the resulting disposition annotating the results in the SIMS-FOIA system. The requests are immediately forwarded to the Regional

Administrators who then disseminate usually to their Regional Senior Investigator for processing.

Departmental OASAM Information Technology staff is in place to insure that VETS FOIA personnel have sufficient IT support. There is a SIMS-FOIA help desk in place to attend to any IT issue that may arise.

## **OIG**

The Office of the Inspector General is a small agency with one Disclosure Officer who handles all phases of the FOIA process. The Disclosure Officer is working with the IT program to refine its FOIA tracking system for functionality and reporting queries. IT personnel have replicated the OIG tracking system to be similar to the DOL SIMS in order to provide consistency in the format of reporting.

OIG currently deploys its audit reports to the web with the exception of certain reports that are sensitive. OIG does not plan to post requests that concern criminal/program investigations covered under the Privacy Act and that contain grand jury information.

## **BLS**

Careful consideration is given to all Freedom of Information Act (FOIA) requests. The channels of communication with BLS staff are maintained by providing procedural guidance, and legal interpretations in consultation with the Office of the Solicitor of Labor (SOL) and the Department of Justice, to assure consistent compliance with the Act. BLS maintains its FOIA program through the DOL SIMS-FOIA Tracking System which monitors the progress of requests in order to facilitate BLS compliance with requirements regarding the timeliness of the FOIA responses and other requirements under the Act. Additionally, the tracking system generates reports on other FOIA activities including requirements of the new FOIA amendments, E.O. 13392 and the 2007 Open Government Act. The BLS FOIA program has adequate IT support.

## **Adj Bds**

The Adjudicatory Boards currently has one Coordinator responsible for all FOIA activities. Presently, the Boards are utilizing SIMS-FOIA for tracking and control of FOIA requests.

The Adjudicatory Boards obtain FOIA IT support through designated IT staff within the Office of the Assistant Secretary for Administration and Management. Within the agency, there are assigned SIMS-FOIA technicians available to assist with help desk tickets, system functionality, etc.

## **WB**

The Bureau maintains ongoing efforts to work collaboratively and collectively with key departmental contacts, agency components, WB National and Regional Office staff, and constituents.

The WB FOIA Coordinator will continue to serve as liaison; attend quarterly departmental meetings, training conferences, seminars, etc. in an effort to stay abreast of relevant FOIA matters, information of new guidance, directives, or policies to ensure open communication within the Bureau.

The Women's Bureau has taken steps to ensure that key FOIA personnel have effective systems and sufficient IT support through:

- Work/coordination with designated IT personnel as necessary to help identify barriers, issues, and provide resolutions (i.e. cross-agency collaborations may include SOL/DOL/WB/DOJ)
- Ensuring key FOIA personnel participation in Agency, DOL, Federal, or other FOIA-related IT/Technology training opportunities, i.e. DOL *SIMS-FOIA*; *FOIA Xpress*
- Maintaining internal/external communications (via quarterly meetings/reporting), and promoting awareness of new technology or upgrades that may impact/enhance IT systems related to FOIA preparation, tracking, dispensation, reporting, and overall compliance

## **ODEP**

ODEP receives and responds to FOIA requests via the SIMS-FOIA system. This system is effective and efficient. The agency has an assigned individual who regularly receives and monitors FOIA actions. Sufficient IT support is provided for the SIMS-FOIA system and through the Help Desk.

## **ASP**

In early 2009, OASP staff attended a DOJ sponsored meeting on transparency in government, and in the spring, OASP staff attended the 2-day SOL sponsored FOIA training.

The Office of the Assistant Secretary for Policy obtains FOIA IT support through designated IT staff within the Office of the Assistant Secretary for Administration and Management. Within the agency, there are assigned SIMS-FOIA technicians available to assist with help desk tickets, etc.

## **OCIA**

OCIA rarely processes FOIA requests. However, should the need arise, there is a staff person in place who is properly trained regarding FOIA administrative process.

OCIA obtains FOIA IT support through designated IT staff within the Office of the Assistant Secretary for Administration and Management. Within the agency, there are assigned SIMS-FOIA technicians available to assist with help desk tickets, system functionality, etc.



## **ILAB**

ILAB's system for responding to requests is very efficient and effective. All staff involved in the FOIA process are fully briefed and kept up-to-date on the FOIA regulations. The FOIA Coordinator has implemented an automated tracking system in order to meet established deadlines. The Coordinator monitors the status of responses and fully keeps the requestor aware of what and when the information will be disclosed. ILAB uses electronic scanning and other types of formats that can be electronically submitted to the requestor as appropriate.

ILAB has taken steps to ensure that FOIA personnel have up-to-date IT equipment and software. Computers have been upgraded from desktops to laptops with docking stations and staff have access to network scanning for electronic FOIA responses. ILAB uses OASAM's IT support staff for all computer needs and they are providing a top-notch service. All electronic responses are submitted to Section 508 requirements.

### **Audits**

We are in the process of adding this to the website but they are currently not on the web. We are working with SOL to develop proper procedures to protect confidential and proprietary information using FOIA as our guide. We hope to have 6 audits on the web by the end of next quarter (June) and 6 more by the end of the fiscal year.

### **TVPRA**

The following reports are products of a research contract with ICF Macro/Macro International. They were cited for the TVPRA Initial List and, since they were not previously published, would have required a FOIA request had OCFT not decided to post them on the website:

Summary Report: Child Labor, Forced Labor, and Forced Child Labor in China July, 2009  
(PDF)

In-country Research and Data Collection on Forced Labor and Child Labor in the Production of Goods — India (PDF)

In-country Research and Data Collection on Forced Labor and Child Labor in the Production of Goods — Nepal (PDF)

OCFT is in the process of preparing four similar studies for release on the web.

## **CFO**

The FOIA coordinator receives a request through the SIMS-FOIA system or directly from a requester. The request is assigned immediately to the appropriate office for a records search, along with a due date. Active requests are tracked by the coordinator. OCFO does not have a sufficient number of requests to merit a dedicated IT infrastructure for FOIA; assignments and follow-up inquiries are made via email, while responsive records are provided in paper format to the coordinator. The coordinator prepares a response for the disclosure official's signature.

## **OPA**

Each OPA FOIA request is tracked and forwarded to OPA staffers. The staff is asked to search files for any information regarding the FOIA. The request is then e-mailed back to the FOIA coordinator. The coordinator prepares the response and the response is mailed out in a timely manner. The coordinator then closes out the FOIA request.

The Office of Public Affairs utilizes the Secretary's Information Management System (SIMS) as a tracking system for all FOIA request. OPA obtains FOIA IT support through designated IT staff within the Office of the Assistant Secretary for Administration and Management. Within the agency, there are assigned SIMS-FOIA technicians available to assist with help desk tickets, system functionality, etc.

## **OSBP**

In cooperation with the Office of the Solicitor, the Office of Small Business Programs was able to ensure that FOIA requests were responded to in an effective and efficient manner. OSBP used the SIMS-FOIA system for tracking and control of all FOIA requests.

## **SOL**

Currently, the Office of the Solicitor is responsible for four roles regarding FOIA. The primary role is to oversee the FOIA Program for the entire Department of Labor. All departmental activities in relation to initial requests and litigation are overseen by Counsel for FOIA, FACA and Privacy. In addition to the Counsel for FOIA, there are three FOIA attorneys, one FOIA Specialist, one paralegal and one support staff person. All of whom service the Department in variety of FOIA functions.

Secondly, the Office of the Solicitor serves as the central location for the Department's FOIA Appeals Unit. Appeals staff consists of the Director of FOIA Appeals, three appeals attorneys, one paralegal and one support staff.

Thirdly, as an agency within the Department of Labor, SOL also operates as a separate Disclosure Office with a Lead FOIA Coordinator and divisional FOIA contracts responsible for processing FOIA requests and consultations.

The agency also functions as the business owner of the SIMS-FOIA. Although the Department currently has a decentralized FOIA Program, SIMS-FOIA was created to function as a centralized tracking and control system for all DOL FOIA disclosure offices (with the exception of the Office of the Inspector General).

During FY '09, in an effort to ensure that there is an effective system for IT support, the Office of the Solicitor hired additional information technology staff. In addition, the agency obtains FOIA IT support through designated IT staff within the Office of the Assistant Secretary for Administration and Management. Within the agency, there are assigned SIMS-FOIA technicians available to assist with help desk tickets, system functionality, etc.

## **JOB CORP**

In accordance with Departmental guidelines, Job Corps ensures that all FOIA requests are logged into the department FOIA system within the prescribed timeframes.

All FOIA requests are recorded and tracked in the SIMS FOIA. The Department is responsible for managing the system. The program is equipped with sufficient tools and IT support is available when needed.

### **Part III. Steps Taken to Increase Proactive Disclosures**

**DOL remains committed to the effort of increasing proactive disclosures. At present, there are eleven DOL agencies that actively post and update electronic reading room materials. Smaller agencies with infrequent requests for information operate and update conventional reading rooms.**

**The Department is currently operating within a decentralized FOIA system. However, under the guidance of the Office of the Solicitor, annual reading room reviews are performed to ensure that components are increasing the amount of materials available on their websites. Each agency website is subsequently linked to the departmental FOIA main page where materials from all DOL agencies may be found and downloaded by the public.**

**The following is a current listing (links) of Departmental FOIA Reading Room materials that can be found via the DOL public website:**

**Administrative Staff Manuals** and instructions to staff that affect a member of the public.

- EBSA: [Enforcement Manual](#)
- OFCCP: [Federal Contract Compliance Manual](#)
- OWCP: [FECA Program Procedures](#)
- OWCP: [DLHWC Procedure Manual](#)
- ETA: [Compliance Assistance - Compliance Manual](#)
- ETA: [The Foreign Labor Certification Program](#)
- ETA: [The WARN Act Guide](#)
- ETA: [Handbooks](#)
- MSHA: [Handbooks](#)
- MSHA: [Program Information Bulletins](#)
- MSHA: [Procedure Instruction Letters](#)
- OALJ: [Judges' Benchbook: Black Lung Benefits Act](#)
- OALJ: [Judges' Deskbook: Davis-Bacon Act \(DBA\), the McNamara-O'Hara Service Contract Act \(SCA\), and Related Laws](#)
- OALJ: [Judges' Deskbook: Employee Retirement Income Security Act of 1974 \(ERISA\)](#)
- OALJ: [Judges' Benchbook: Board of Alien Labor Certification Appeals \(BALCA\)](#)
- OALJ: [Judges' Benchbook: Longshore and Harbor Workers' Compensation Act](#)
- OALJ: [Judges Deskbook: Office of Federal Contract Compliance Programs \(OFCCP\)](#)
- OALJ: [Digest: Aviation Investment and Reform Act for the 21st Century \(AIR 21\) Whistleblower Cases](#)
- OALJ: [Digest: Nuclear and Environmental Whistleblower Cases](#)
- OALJ: [Digest: Sarbanes-Oxley Act \(SOX\) Whistleblower Cases](#)

- OALJ: [Digest: Surface Transportation Assistance Act Whistleblower Cases](#)
- OALJ: [OALJ Judges' Deskbook: Comprehensive Employment and Training Act \(CETA\), Job Training Partnership Act \(JTPA\), and Workforce Investment Act of 1998 \(WIA\)](#)
- OIG: [Selected IG Directives](#)
- OIG: [Government Auditing Standards \(Yellow Book\)](#)
- OSHA: [Construction Resource Manual](#)
- OSHA: [Field Inspection Reference Manual](#)
- OSHA: [Recordkeeping Guidelines](#)
- OSHA: [OSHA Technical Manual](#)

### **Opinions and Orders** made in the adjudication of cases

- EBSA: [Advisory Opinions](#)
- EBSA: [Information Letters](#)
- EBSA: [Field Assistance Bulletins](#)
- OWCP: [FECA Decisions of the ECAB](#)
- ETA: [ETA-Related Adjudications \(Miscellaneous\)](#)
- MSHA: [Petitions for Modification](#)
- OALJ: [Opinions Search](#)

### **Statements of Policy and Interpretations** adopted by the agency and not published in the Federal Register

- OFCCP: [Policy Directives](#)
- OWCP: [DLHWC Bulletins, Circulars & Transmittals](#)
- OWCP: [FECA Bulletins, Circulars & Transmittals](#)
- OWCP: [EEOICP Policy & Procedures](#)
- OWCP: [DCMWC Main Page](#)
- WHD: [Field Operations Handbook](#)
- WHD: [Opinion Letters](#)
- WHD: [Field Bulletins](#)
- ETA: [Advisories and Memorandums](#)
- ETA: [Library](#)
- MSHA: [Program Policy Manual](#)
- MSHA: [Program Policy Letters](#)
- OALJ: [Claimant Name Policy](#)
- OALJ: [Medicare Secondary Payer Act & § 8\(i\) Settlements](#)
- OALJ: [Public Access Notice](#)
- OALJ: [Social Security Numbers on Subpoenas](#)
- OSHA: [Interpretation Letters and Memos](#)
- OSHA: [Directives](#)

### **“Hot FOIAs” and Frequently Requested Reports**

- DOL: [Purchase Card Holders](#)
- DOL: Target Date Funds
  - [Letter to The Honorable Herb Kohl](#) - Issued 03/26/2009
  - [Letter to The Honorable George Miller](#) - Issued 04/22/2009
  - [Letter to The Honorable Robert Andrews](#) - Issued 04/22/2009

- BLS: [Purchase Card Holders](#)
- EBSA: [Electronic FOIAs](#)
- OFCCP: [Hot FOIAs](#)
- OLMS: [Internet Public Disclosure Room](#)
- OLMS: [CAP Closing Letters](#)
- OLMS: [I-CAP Closing Letters](#)
- OWCP: [Hot FOIAs](#)
- ETA: [Programs and Initiatives](#)
- ETA: [Foreign Labor Certification Backlog](#)
- OIG: [Audit Reports](#)
- OIG: [Semiannual Reports](#)
- MSHA:
  - Kentucky Darby LLC - Darby Mine No. 1
    - [Accident Investigation Report](#)
    - [Internal Review](#) - Issued 06/28/2007
  - Aracoma Coal Company Inc - Aracoma Alma Mine #1
    - [Accident Investigation Report/Overview](#)
    - [Internal Review](#) - Issued 06/28/2007
  - Wolf Run Mining Company - Sago Mine
    - [Accident Investigation Report](#)
    - [Internal Review](#) - Issued 06/28/2007

[DOL Forms](#)

[DOL Regulations](#)

### ***DOL Component Responses:***

#### **OSHA**

The Agency has established a policy of openness that includes sharing information with the public through new additions to the public Website since the issuance of the FOIA guidelines. Those additions include:

- A” Highlights” box to emphasize workplace disasters, OSHA events and other information for the public.
- “Worker Fatality” summary section on OSHA’s public internet site that includes weekly fatality reports summarizing workplace deaths.
- Data statistics section showing information on specific injury and illness rates, worker fatalities, and workplace inspections.

#### **OFCCP**

Currently, OFCCP posts policy directives, technical assistance guides and answers to frequently asked questions on its website. In addition, the agency hosts numerous web-based outreach

events including webinars and listening sessions hosted by the agency Director. OFCCP is evaluating the feasibility of making additional information available on the agency website that would be of interest to our stakeholders.

## **OLMS**

As part of the ongoing effort to increase the amount of material available on the OLMS website, OLMS is in the process of redacting and posting all final agency determinations on the OLMS Online FOIA Reading Room retroactive to 1996. These final agency determinations include: Compliance Audit Program and International-Compliance Audit Program closing letters; Assistant Secretary Decisions and Orders in Civil Service Reform Act of 1978 (CSRA) cases; Form LM-2 Hardship Determinations; Transit Employee Protection determinations; and election and trusteeship case decisions. The latter includes election and trusteeship statements of reasons; union election certifications and determinations; and union election dismissal letters.

## **OWCP**

The website has a significant amount of information available both readable and downloadable. Forms, benefit rates, frequently asked questions, and medical information are all some of the types of information available.

OWCP periodically reviews both FOIA request trends and the available datasets to determine appropriateness for release. OWCP is in a unique position within the Department in that a significant portion of our data resides at the individual claimant level, containing significant amounts of personal data that is governed by the Privacy Act. Therefore in working with the Department to share data, OWCP must take extra care to ensure that our constituents' personal information is protected from public disclosure.

In 2009, OWCP's Division of Longshore and Harbor Workers Compensation made available online, data on overseas contractor injuries and deaths based on reports filed under the Defense Base Act. This publication effort was initiated after reviewing FOIA request trends in the recent past. Additionally, as part of the Department's Open Government initiative, OWCP has recently completed or is in the process of completing the following activities:

- Completed and submitted an inventory of datasets for all four of its programs;
- OWCP will participate in the Department-wide analysis of this data to determine if additional datasets are appropriate for general release via the websites;
- Added to OWCP websites, links to the Department's Open Government web page to elicit feedback from our employees and stakeholders regarding new ideas for sharing data; and
- OWCP and its Programs are also currently in the process of finalizing email messages that will be sent (within one week) to all employees and to program stakeholders, requesting that they share their ideas on improving the availability and quality of information OWCP produces and shares. Subsequently, OWCP will participate in the Department-wide analysis of the feedback received to inform our data sharing initiatives.

## **WHD**

WH is now in the process of converting all paper records in an electronic document management system which will be searchable by many different criteria. The FOIA system can be converted to this system as well and it is planned to use to two systems side by side until the new system has been thoroughly tested and approved by the appropriate authorities.

The agency has added to its website, the Migrant and Seasonal Agricultural Workers' Protection Act list of eligible contractors; Child Labor Section 14C information; and new information regarding the Davis-Bacon Act. We have also expanded many of our existing data sets.

## **MSHA**

The FOIA Officer has met with Program Areas to identify ways to streamline the review process when responding to requests. Requests will be reviewed and cleared by the Mine Safety and Health Division of the Solicitor's Office which has resulted in a reduction of processing time. MSHA provides a template to Coordinators to assist them in preparing responses. The FOIA staff work closely with the Public Affairs Office to identify those requests that can be processed as an information request instead of FOIA. The FOIA Officer works closely with the IT office to ensure the agency has sufficient IT support including computer hardware and software equipment and adequate space on network drives.

Since the issuance of the new FOIA guidelines, we have posted accident investigation reports and a listing of mine addresses in advance of FOIA requests. MSHA is continually looking for ways to expand the information posted to better serve the public and hopefully reduce the number of FOIA requests. MSHA has recommended several new categories of information to be posted on the web, such as congressional requests, responses and logs. However, the agency will discuss with the DOL prior to posting to ensure a consistent agency-wide approach.

## **EBSA**

The EBSA website has an enormous amount of information on it for our stakeholders. Since the new guidelines were issued, EBSA has posted the Form 5500 data sets from 1999 through 2009 in a downloadable format. It will be updated approximately quarterly. In addition, the EFAST 2 system implemented in January, 2010, will make individual Form 5500 filings available to the public on the web shortly after they have been filed.

## **ETA**

Since the issuance of the new FOIA Guidelines, ETA personnel took steps to survey the most frequently requested records and determine what kinds of information would be most helpful on our web sites. With more than 80% of ETA FOIA requests related to Foreign Labor Certifications and applications, and another 15% related to grant applications and contracts, ETA program personnel have moved to increase the amount of information available to the public. In the case of Grants and Contracts, grant awards were already on the web, however, personnel are taking steps to also place the names and contact information of recent awardees on the web to decrease the number of non-specific FOIA requests for unnamed grantees. This action will streamline OGCM requests and proactively disclose the most frequently requested information.

OFLC staff analyzed the frequency and category of FOIA, general correspondence and telephone inquiries in order to plan to determine the type of improvements and proactive disclosures to put on the web. Additionally, program personnel determined the due to the frequency of FOIA requests for information already available on the web, that redesign efforts on the foreign labor website were necessary to make it more user friendly so that potential requestors can more readily find the information desired.

With the most commonly asked questions geared toward the status of pending applications, followed by requests for information on trends of the temporary visa program activities, the OFLC web site has been updated to new and additional information in several key areas. Since the issuance of the new guidelines, the following additions have been made to the OFLC site:

1. **Program Debarment Information** – Listing of debarred employers, attorneys and /or agents from both the permanent and temporary programs has been added.
2. **OFCL Disclosure Data** –Now provides information on the number of U.S. employers using foreign labor certification programs (permanent and temporary) by Fiscal Year; also indicates the number of foreign workers requested, wages paid, where employed, etc.
3. **OFCL Performance Reports** – Now provides increased access to OFCL Annual Reports with the total number of labor certifications by fiscal year, number of certifications for each program, types of jobs certified, area of the country requesting certifications.
4. **“What’s New”** - this addition provides ready access to updates regarding OFCL regulations and procedures
5. **“For Employers” – Backlog Application Status** – Allows employers to search case number backlog data
6. **iCERT System Portal- newly** Designed to allow H-1 employers to file on-line; as well as gain access to their records electronically.
7. **iCERT Portal** - added to allow access to search for prevailing wages and afford electronic submission of requests for prevailing wage determinations

## OASAM

OASAM monitors the subject matter of FOIA requests to identify trends, as well as when information requested can be made available without review. Individual Centers will post the information on their respective websites. Currently, we have not determined specific trends or repetitive requests that would warrant the posting of requested material on the OASAM National Office website. However, the agency is prepared to do so when appropriate.

## ALJ

OALJ’s Document Management System automatically pushes ALJ decisions to the OALJ web site 24 hours after issuance. Longshore decisions are withheld from the web site for 5 business days to enable service on the parties by the district director. All reading room materials, such as newsletters, digest and benchbook updates, rules of practice, and similar materials are posted on the OALJ web site as soon as available. An e-mail subscription list is used to notify interested persons of new postings on the OALJ web site.



During the period from January 22, 2009 through March 11, 2010, OALJ posted 5718 ALJ decisions to its web site. These decisions included two new case types that were not available in 2008: appeals of denials of H-2B alien labor certification applications, and hearings involving Consumer Product Safety Act whistleblowers. In addition, OALJ has continually updated its other reading room materials with supplements and newsletters. In April 2009, OALJ added a new digest of decisions concerning permanent alien labor certification. This digest was significantly updated on February 17, 2010.

## **VETS**

Discussion is underway to determine if a National and Regional office initiative would be useful. The Agency has discussed the feasibility of posting certain types of information. Most of our information is not of the nature that promotes global release.

## **OIG**

OIG currently deploys its audit reports to the web with the exception of certain reports that are sensitive. OIG does not plan to post requests that concern criminal/program investigations covered under the Privacy Act and that contain grand jury information.

## **BLS**

The Bureau of Labor Statistics (BLS) public website features our latest economic statistics, and highlights recently added data which makes the site more engaging for the public. The website provides online access to the BLS FOIA page which features “quick links” to specific FOIA-related information to assist the public. The BLS has information posted on its FOIA page encouraging the public to explore the BLS website or use our search engine to see if the information being sought is already available to the public through the Website. Additionally, the BLS FOIA page informs the public that the Statistical data produced by the BLS may be obtained without making a request under the FOIA and also provides contact information for our information services and for the BLS programs that produce the data being sought to determine if a FOIA request needs to be submitted. Our goal is ensure that we provide the public with the highest quality of customer service.

BLS has reviewed the FOIA processes for its public website and although relatively small, it is possible to increase the amount of FOIA related information on the public website. Therefore, the agency will be doing so in the near future.

## **Adj Bds**

Currently, there are no documents available that would meet the criteria for proactive disclosure.

## **WB**

In accordance with E-FOIA Amendments; Departmental guidelines; FOIA directives and regulations, the Bureau ensures that materials are made readily available via the *Women’s Bureau Reading Room*. The Bureau’s Reading Room contains WB and/or DOL links which

include: Administrative Staff Manuals, agency Opinions and Orders, agency Statements of Policy and Interpretations, “Hot FOIAs” and frequently requested documents, i.e. CFDA/Grants, etc.

The Women’s Bureau, in accordance with established DOL policies and guidelines, proactively works to readily and systematically posts information on its Website in an effort to keep the public informed about programs and initiatives that support and promote and support the Bureau’s mission and vision. Examples of the type of information posted include internal/external collaborations across the region and at the state, local, federal, and private sector levels; publications, resources, and a host of other wide-ranging issues, and activities.

## **ODEP**

ODEP maintains a website that provides access to many items that may be important to persons interested and involved in the disability employment and services community. This website is regularly reviewed and updated.

## **ASP**

OASP has been actively engaged in DOL's Open Government Initiative.

The DOL semi-annual Regulatory Agenda and Annual Plan appears on the OASP web, along with any updates that may change regulatory priorities.

## **OCIA**

OCIA does not typically receive FOIA requests. Therefore, at this time, there is no need for a FOIA website or FOIA reading room.

## **ILAB**

Since the issuance of the new FOIA guidelines, ILAB has taken tremendous steps to increase the amount of materials that is available on our website. Below are examples of the type of information that is now available:

### **Evaluations**

We have started to put some evaluations on the web and will continue throughout the year to add more. Previously, evaluation reports had to be obtained through FOIA. They are available at: <http://www.dol.gov/ilab/programs/ocft/oversight.htm> . We hope to add 8 more evaluations on the web by the end of March and 13 more by the end of the fiscal year.

## **CFO**

Almost all requests received by OCFO pertain to the Secretary’s travel vouchers. We are evaluating whether this information should or can be disclosed proactively online. As of this time, it has not been posted. Having evaluated the average 10-15 FOIA requests OCFO receives

annually, we have not identified other data sets owned by OCFO that are of public interest that are not already available on either OCFO or DOL's website, such as financial statements and Federal agency liabilities for certain employment benefits.

## **OPA**

Due to the limited number of FOIA requests that reach this agency each year, there is currently no need for a separate FOIA website or FOIA reading room.

## **OSBP**

The Office of Small Business did not post any documents to its web site because much of our correspondence is generally associated with Executive correspondence or requests for information that is openly available on the U.S. Department of Labor's web site.

## **SOL**

The Office of the Solicitor has a dual role with respect to the Department's FOIA websites. On behalf of the Department of Labor, and with the assistance of the DOL Office of Public Affairs, SOL manages the departmental FOIA website. The agency ensures that current and accurate information regarding FOIA, as well as the proper links to all departmental FOIA websites are posted.

SOL also maintains its own individual FOIA page. During FY '09 the agency hired additional information technology staff to assist with a number of IT issues that include updating and maintaining its FOIA site.

## **JOB CORP**

Since the new issuance Job Corps has posted additional material to the public Web site, <http://www.jobcorps.gov/AboutJobCorps/authority.aspx>. For example, we have proactively posted the following documents on the public website:

### **Job Corps Policy and Requirements Handbook**

[Job Corps Policy and Requirements Handbook \(PRH\)](#) (6,248 kb PDF file)

[Record of Changes to the Job Corps PRH](#) (59 kb PDF file)

### **Job Corps Data**

[Job Corps Center Inventory](#) (48 kb XLS file)

[Who Job Corps Serves](#) (23 kb XLS file)

[Student Outcomes](#) (22 kb XLS file)

[Common Measures Performance Indicators](#) (21 kb XLS file)

Enrollment by State/Zip Code (per Calendar Year)

[Calendar Year 2009](#) (836 kb XLS file)

[Calendar Year 2008](#) (825 kb XLS file)  
[Calendar Year 2007](#) (829 kb XLS file)  
[Calendar Year 2006](#) (801 kb XLS file)  
[Calendar Year 2005](#) (799 kb XLS file)

### **Job Corps Annual Report**

[Program Year 2006](#) (5,188 kb PDF file)  
[Program Year 2005](#) (3,627 kb PDF file)  
[Program Year 2004](#) (2,480 kb PDF file)  
[Program Year 2003](#) (6,362 kb PDF file)  
[Program Year 2002](#) (1,289 kb PDF file)

### **Job Corps Advisory Committee Report**

[Job Corps Advisory Committee Report](#) (2,823 kb PDF file)

### **Job Corps Performance Reports**

#### **Center Report (OMS-10)**

Program Year 2008 - [PDF file](#) (35 kb) or [TXT file](#) (75 kb)  
Program Year 2007 - [PDF file](#) (34 kb) or [TXT file](#) (75 kb)  
Program Year 2006 - [PDF file](#) (34 kb) or [TXT file](#) (74 kb)

#### **Outreach and Admissions Report (OAOMS-10)**

Program Year 2008 - [PDF file](#) (26 kb) or [TXT file](#) (35 kb)  
Program Year 2007 - [PDF file](#) (24 kb) or [TXT file](#) (34 kb)  
Program Year 2006 - [PDF file](#) (23 kb) or [TXT file](#) (34 kb)

#### **Career Transition Services Report (POMS-10)**

Program Year 2008 - [PDF file](#) (35 kb) or [TXT file](#) (49 kb)  
Program Year 2007 - [PDF file](#) (22 kb) or [TXT file](#) (53 kb)  
Program Year 2006 - [PDF file](#) (26 kb) or [TXT file](#) (56 kb)

### **Monthly Reports**

[Center Report \(OMS-10\)](#) (35 kb PDF file)  
[Outreach and Admissions Report \(OAOMS-10\)](#) (22 kb PDF file)  
[Center Transition Services Report \(POMS-10\)](#) (26 kb PDF file)

### **Job Corps Model Requests for Purchase (RFPs)**

[Center RFP](#) (443 kb PDF file)  
[Outreach and Admissions/Career Transition Services \(OA/CTS\) RFP](#) (324 kb PDF file)

## **Strategic Planning**

[DOL Strategic Plan for Fiscal Years 2006-2011](#)

## **DOL Annual Performance and Accountability Reports**

[Fiscal Year 2009](#)

[Fiscal Year 2008](#)

[Fiscal Year 2007](#)

[Fiscal Year 2006](#)

[Fiscal Year 2005](#)

[Fiscal Year 2004](#)

[Fiscal Year 2003](#)

[Fiscal Year 2002](#)

[Fiscal Year 2001](#)

## **Program Assessment**

The Office of Management and Budget's assessment of the Job Corps program is available at [www.ExpectMore.gov](http://www.ExpectMore.gov).

Job Corps is currently reviewing its system of records in order to post routine requests to our FOIA Web site

## **Part IV. Steps Taken to Greater Utilize Technology**

The Department of Labor is currently utilizing the SIMS-FOIA to centrally control and track FOIA requests. SIMS-FOIA has the capability to generate variety of reports that include overdue FOIAs and the FOIA annual report. It also has a web portal that enables the public to obtain the status of requests.

At present, the general public can file a FOIA request via mail or by accessing the following DOL link: [foiarequest@dol.gov](mailto:foiarequest@dol.gov)

### ***DOL Component Responses:***

#### **Electronic receipt of requests:**

- 1. Does your agency currently receive requests electronically?***

#### **OSHA - Yes**

OSHA receives FOIA requests through emails and fax machines. These methods allow the public to expedite their FOIA requests as opposed to having only land mail options for sending their FOIA requests to OSHA.

## **OFCCP**

Yes, OFCCP receives requests electronically to the extent allowed by the Departmental FOIA regulations (i.e. via [foiarequest@dol.gov](mailto:foiarequest@dol.gov)).

## **OLMS - Yes**

## **OWCP - Yes**

## **WHD - Yes**

## **MSHA - Yes**

Electronic requests are submitted to DOL's centralized e-mail address and forwarded to MSHA.

## **EBSA - Yes**

## **ETA - Yes**

ETA receives electronic requests provided they are submitted to [foiarequest@dol.gov](mailto:foiarequest@dol.gov), additionally, this agency receives amended requests, and withdrawals via email.

## **OASAM - Yes**

## **ALJ - Yes**

## **VETS - Yes**

## **OIG – Yes**

## **BLS - Yes**

## **Adj Bds - Yes**

## **WB**

Yes. The Women's Bureau primarily receives electronic requests via the SIMS-FOIA (Secretary's Information Management System – an internal Department of Labor FOIA tracking and Reporting System) designed to enable agency components to comprehensively manage FOIA request. The Women's Bureau may also receive requests via a link established on DOL's FOIA page ([foiarequest@dol.gov](mailto:foiarequest@dol.gov)).

The Bureau complies with FOIA/Departmental requirements and ensures availability of information by providing written guidelines and instructions for making FOIA requests, checking status of FOIA appeals ([WB-FOIA@dol.gov](mailto:WB-FOIA@dol.gov)); and establishing links on the WB

Website (<http://www.dol.gov/wb/e-foia.htm>) which provide FOIA Resources (including department or other relevant Federal agencies), i.e., DOL FOIA Page; Annual FOIA Reports; DOL/DOJ FOIA Regulations and E-FOIA Amendments, Executive Orders, etc.

In accordance with E-FOIA Amendments; Departmental guidelines; FOIA directives or regulations, the Bureau ensures that materials are made readily available via the *Women's Bureau Reading Room*. The Bureau's Reading Room contains WB and/or DOL links which include: Administrative Staff Manuals, agency Opinions and Orders, agency Statements of Policy and Interpretations, "Hot FOIAs" and frequently requested documents, i.e. CFDA/Grants, etc.

**ODEP - Yes**

**ASP - Yes**

**OCIA - Yes**

**ILAB - Yes**

**OPA - Yes**

**OSBP - Yes**

**SOL - Yes**

**JOB CORP - Yes**

2. *If not, what are the current impediments to your agency establishing a mechanism to receive requests electronically?*

**OSHA – N/A**

**OFCCP – N/A**

**OLMS – N/A**

**OWCP – N/A**

**WHD – N/A**

**MSHA**

In an effort to eliminate the delay of receipt of FOIA requests that are forwarded by DOL to MSHA, we should have a mechanism to electronically receive requests directly from the requester to MSHA.

**EBSA – N/A**

**ETA – N/A**

**OASAM – N/A**

**ALJ – N/A**

**VETS – N/A**

**OIG – N/A**

**BLS – N/A**

**Adj Bds – N/A**

**WB – N/A**

**ODEP – N/A**

**ASP – N/A**

**OCIA – N/A**

**ILAB – N/A**

**CFO – N/A**

**OPA – N/A**

**OSBP – N/A**

**SOL – N/A**

**JOB CORP – N/A**

**3. *Does your agency track requests electronically?***

**OSHA – Yes**



OSHA uses SIMS-FOIA to maintain its FOIA database for ensuring timely and accurate responses to FOIA requests and developing reports.

#### **OFCCP**

Yes, OFCCP tracks requests electronically via SIMS-FOIA, which the agency has utilized since its inception in 2004-2005. OFCCP provides a tracking number to all FOIA requestors.

#### **OLMS - Yes**

#### **OWCP - Yes**

#### **WHD - Yes**

#### **MSHA - Yes**

MSHA tracks requests using the SIMS-FOIA system. The requesters can also track the status of their requests using DOL's website. The request and any correspondence (interim, partial, final responses) are scanned into the SIMS system. When practical, the requested records are also entered into the system. We also use an excel spreadsheet to monitor and track overdue requests.

#### **EBSA - Yes**

#### **ETA - Yes**

ETA tracks all requests electronically to include status requests and follow-ups. ETA also receives uploaded records from regions electronically to avoid excess postal and freight charges.

#### **OASAM - Yes**

#### **ALJ - Yes**

#### **VETS - Yes**

#### **OIG - Yes**

#### **BLS - Yes**

#### **Adj Bds - Yes**

#### **WB**

Yes. The Women's Bureau utilizes SIMS-FOIA. Through this system, WB is able to receive FOIA requests, track, respond, and complete quarterly and annual reports as required using information captured in the database.

**ODEP - Yes**

**ASP - Yes**

**OCIA - Yes**

**ILAB**

Yes, all requests received electronically are entered into the department's SIMS-FOIA system, assigned a FOIA tracking number, and due date.

**CFO - Yes**

OCFO utilizes SIMS-FOIA to track requests assigned to the agency, but does not use an internal electronic tracking system.

**OPA - Yes**

**OSBP - Yes**

**SOL - Yes**

**JOB CORP - Yes**

4. *If not, what are the current impediments to your agency utilizing a system to track electronically.*

**OSHA – N/A**

**OFCCP – N/A**

**OLMS – N/A**

**OWCP – N/A**

**WHD – N/A**

**MSHA – N/A**

**EBSA – N/A**

**ETA – N/A**

**OASAM – N/A**

**ALJ – N/A**

**VETS – N/A**

**OIG – N/A**

**BLS – N/A**

**Adj Bds – N/A**

**WB – N/A**

**ODEP – N/A**

**ASP – N/A**

**OCIA – N/A**

**ILAB – N/A**

**CFO – N/A**

**OPA – N/A**

**OSBP – N/A**

**SOL – N/A**

**JOB CORP – N/A**

**Electronic processing of requests:**

5. *Does your agency use technology to process requests?*

**OSHA - Yes**

OSHA FOIA requests are entered into and processed through the SIMS. By using that system, FOIA coordinators may reference data to ensure proper facilities are processing a FOIA request, requests are being processed in a timely manner, and data is being accumulated to provide reports about OSHA FOIA support.

## **OFCCP**

Yes, OFCCP utilizes technology to a large extent when processing FOIA requests. The following are examples of how the agency utilizes technology to process FOIA requests: 1) receipt of requests electronically via [foiarequest@dol.gov](mailto:foiarequest@dol.gov), 2) use of the SIMS/FOIA tracking system, 3) searching for records and available information through electronic means, 4) communicating with requestors via e-mail, 5) preparing responses electronically, and 6) providing responsive records in electronic format when requested.

## **OLMS - Yes**

## **OWCP - Yes**

## **WHD - Yes**

## **MSHA - Yes**

## **EBSA - Yes**

Certain requests such as for customized searches of database are processed electronically. Hard copy productions, however are processed by hand

## **ETA - Yes**

ETA uses all available technology to process requests to include digital software and scanning devices, electronically mailed responses, and electronic downloads from relevant databases. Currently, the ETA does not have access to electronic redaction software.

## **OASAM - Yes**

## **ALJ - Yes**

## **VETS - Yes**

## **OIG – Yes** (When practicable, OIG will use redaction software.)

## **BLS - Yes**

## **Adj Bds - Yes**

## **WB - Yes**

The Women's Bureau uses technology such as Office Automation and Computer-based systems to process requests via E-mail, the Internet, and by fax.

**ODEP - Yes**

**ASP - Yes**

**OCIA - Yes**

**ILAB - Yes**

Yes, ILAB uses electronic technology to process requests when the requestor has provided an email address and if the material disclosed can be made available in an electronic format.

**CFO - Yes**

OCFO uses email, spreadsheets, and PDF technology to process requests. OCFO also makes requests of its travel system provider to conduct electronic searches of its database to obtain travel-related information for FOIA requests.

**OPA - Yes**

**OSBP - Yes**

**SOL - Yes**

**JOB CORP - Yes**

6. *If not, what are the current impediments to your agency utilizing technology to process requests?*

**OSHA – N/A**

**OFCCP – N/A**

**OLMS – N/A**

**OWCP – N/A**

**WHD – N/A**

**MSHA – N/A**

**EBSA – N/A**

**ETA – N/A**

**OASAM – N/A**

**ALJ – N/A**

**VETS – N/A**

**OIG**

The type of records and size of print requiring the electronic redaction can be impediments and delay the amount of time it takes to answer requests.

**BLS – N/A**

**Adj Bds – N/A**

**WB – N/A**

**ODEP – N/A**

**ASP – N/A**

**OCIA – N/A**

**ILAB – N/A**

**CFO – N/A**

**OPA – N/A**

**OSBP – N/A**

**SOL – N/A**

**JOB CORP – N/A**

### **Electronic Preparation of Annual FOIA Report**

7. *Does your agency utilize technology to prepare your agency Annual FOIA Report?*

**OSHA - Yes**

SIMS-FOIA provides data entered throughout the year to produce OSHA's FOIA Annual Report.

#### **OFCCP - Yes**

Yes, OFCCP utilizes SIMS-FOIA's capability to generate the agency's annual report to the greatest extent possible. When needed, additional analysis is performed electronically utilizing MS Word and Excel.

#### **OLMS - Yes**

#### **OWCP - Yes**

#### **WHD - Yes**

WH uses extensively SIMS-FOIA to process the Annual Report. All regions are mandated to fully update their SIMS-FOIA electronic records prior to running the report. They are then required to review the document manually to insure accuracy.

#### **MSHA – Yes,**

The SIMS-FOIA system prepares the agency annual report.

#### **EBSA**

Technology is used to prepare the Annual FOIA Report to a limited extent. The current tracking system utilized by the Department has much, but not all of the necessary information.

#### **ETA - Yes**

ETA is in full compliance with DOL and DOJ requirements through its use of the FOIA SIMS electronic tracking database. The annual report is pulled using this software which has undergone several releases to accommodate current tracking and measurement requirements.

#### **OASAM - Yes**

#### **ALJ - Yes**

#### **VETS - Yes**

#### **OIG - Yes**

OIG uses program that is designed to be similar to DOL system.

**BLS - Yes**

**Adj Bds - Yes**

**WB - Yes**

The Women's Bureau utilizes technology such as Office Automation and Computer-based systems that include SIMS-FOIA which is designed to capture and generate a record of WB Fiscal Year FOIA experience. The information contained within SIMS-FOIA facilitates preparation of a DOL Annual FOIA Report.

**ODEP - Yes**

**ASP - Yes**

**OCIA - Yes**

**ILAB - Yes**

**CFO - Yes**

OCFO utilizes SIMS-FOIA to prepare the report and validates the data against an internal log maintained by the FOIA coordinator.

**OPA - Yes**

**OSBP - Yes**

**SOL - Yes**

**JOB CORP - Yes**

8. *If not, what are the current impediments to your agency utilizing technology in preparing your Annual FOIA Report?*

**OSHA – N/A**

**OFCCP – N/A**

**OLMS – N/A**

**OWCP – N/A**



**WHD – N/A**

**MSHA – N/A**

**EBSA – N/A**

**ETA – N/A**

**OASAM – N/A**

**ALJ – N/A**

**VETS – N/A**

**OIG – N/A**

**BLS – N/A**

**Adj Bds – N/A**

**WB – N/A**

**ODEP – N/A**

**ASP – N/A**

**OCIA – N/A**

**ILAB – N/A**

**CFO – N/A**

**OPA – N/A**

**OSBP – N/A**

**SOL – N/A**

**JOB CORP – N/A**

**Part V. Steps Taken to Reduce Backlogs and Improve Timeliness in Responding to Requests**

## 1. Backlog Status

DOL – Initial Request Backlog Comparison Chart

<b>AGENCY</b>	<b>Number of Backlogged Requests as of End of FY 2008</b>	<b>Number of Backlogged Requests as of End of FY 2009</b>	<b>Number of Backlogged Requests as of End of First Quarter FY 2010</b>
<b>OSHA</b>	216	249	264
<b>OFCCP</b>	14	9	8
<b>OLMS</b>	1	3	6
<b>OWCP</b>	0	0	12
<b>WHD</b>	91	166	81
<b>MSHA</b>	29	41	22
<b>EBSA</b>	11	35	35
<b>ETA</b>	37	37	27
<b>OASAM</b>	12	57	57
<b>ALJ</b>	3	1	1
<b>VETS</b>	2	0	2
<b>OIG</b>	0	9	11
<b>BLS</b>	0	2	2
<b>Adj Bds</b>	0	0	1
<b>WB</b>	0	0	1
<b>ODEP</b>	0	0	0
<b>ASP</b>	0	0	3
<b>OCIA</b>	0	0	0
<b>ILAB</b>	1	0	0
<b>CFO</b>	0	0	0
<b>OPA</b>	0	0	0
<b>OSBP</b>	2	0	0
<b>SOL</b>	3	10	8
<b>JOB CORP</b>	0	0	0
<b>AGENCY OVERALL</b>	<b>422</b>	<b>619</b>	<b>541</b>

### DOL – Oldest Pending Requests

- 2009 Oldest Pending Request = 07/05/2007 (601 days)
- 2008 Oldest Pending Request = 07-14-06 (777 days)

At the end of FY 2009, the Department of Labor had a total backlog of **619** requests. However, as demonstrated by the chart below, by the close of the first quarter (FY 2010), the Department showed a **12.6%** reduction with a total of **541** backlogged requests.

This reduction is demonstrative of the Department being on pace toward exceeding its annual goal of a **10%** reduction in total backlog.

## DOL – Appeals

**Note:** All FOIA Appeals are reviewed by the Department’s centralized FOIA Appeals Unit located within the Office of the Solicitor. (Therefore, required data regarding appeals will be listed within this section of the report, not with individual component responses.

- Oldest Appeal at the end of FY 2009 – 10/13/2005 (1,448 days pending)
- Oldest Appeal at the end of FY 2008 – 12/10/04 (1,391 days pending)
- Number of Backlogged Appeals as of September 30, 2009 totaled **178**
- Number of Backlogged Appeals as of September 30, 2008 totaled **208**

AGENCY	Number of Backlogged Appeals As of End of the Fiscal Year 2008	Number of Backlogged Appeals As of End of the Fiscal Year 2009
<b>OSHA</b>	117	84
<b>ESA</b>	43	38
• OMAP	6	3
• OFCCP	7	3
• OLMS	3	0
• OWCP	14	19
• WHD	13	13
<b>MSHA</b>	4	4
<b>EBSA</b>	6	2
<b>ETA</b>	22	31
<b>OASAM</b>	5	4
<b>ALJ</b>	1	1
<b>VETS</b>	5	5
<b>OIG</b>	0	4

<b>AGENCY</b>	<b>Number of Backlogged Appeals As of End of the Fiscal Year 2008</b>	<b>Number of Backlogged Appeals As of End of the Fiscal Year 2009</b>
<b>BLS</b>	2	0
<b>Adj Bds</b>	0	1
<b>WB</b>	0	0
<b>ODEP</b>	0	0
<b>ASP</b>	0	0
<b>OCIA</b>	0	0
<b>ILAB</b>	0	0
<b>CFO</b>	1	1
<b>OPA</b>	0	0
<b>OSBP</b>	0	0
<b>SOL</b>	2	2
<b>JOB CORP</b>	0	1
<b>AGENCY OVERALL</b>	208	178

**Note:** The “Appeals” backlog is decreasing.

### ***DOL Component Responses:***

#### **OSHA**

##### **FY 2008 backlog 216**

Oldest reported pending request 300 days (7/16/07)

##### **FY 2009 backlog 249**

Oldest reported pending request 249 days (10/2/08)

#### **OFCCP**

FY 2008 – 14 (backlogged requests)

FY 2009 – 9 (backlogged requests)

FY 2010 (1<sup>st</sup> Quarter) – 8 (backlogged requests)

#### **OLMS**

At the end of FY 2009, OLMS had three backlogged FOIA requests.

Two requests were pending at the end of Fiscal Year 2008.

## **OWCP**

OWCP had no backlogged FOIA requests in FY 2009. There were also no backlogged requests in 2008.

## **WHD**

WH had 91 backlogged FOIAs in FY 2008 and 166 backlogged FOIAs in FY2009. At the end of the first Quarter of FY 2010, there were 88 backlogged FOIAs.

FY 2008 Oldest Pending Request – 11/8/2006 (664 days)

FY 2009 Oldest Pending Request – 11/18/08 (227 days)

## **MSHA**

At the end of FY 2009, MSHA had a total of 41 backlog requests which range from 1-536 days overdue.

2008: 29 Date of oldest request in 2008: 10-18-07 Appeals: 4

2009: 41 Date of oldest request in 2008: 08-13-07 Appeals: 4

## **EBSA**

Backlogged requests at the end of 2008: 10; Oldest received 4/24/2008

Backlogged requests at the end of 2009: 35; Oldest received 4/16/2009

## **ETA**

At the end of FY 2009, ETA had 37 backlogged FOIA requests. The ETA FY 2009 backlog decreased to 37 from the FY 2008 backlog of total of 101, which well surpassed the FOIA Improvement Plan goal for backlog reductions.

At the end of FY2009, there were five pending requests from FY2008. The oldest request still in process is from January 2008 and has more than 10,000 responsive deliberative process records. The remaining 32 backlogged requests are from FY2009.

## **OASAM**

At the end of Fiscal Year 2009 OASAM had 57 backlogged FOIA requests. At the end of FY '08, there were 12 backlogged requests.

### **Oldest Requests**

2008: 07-14-06 (777 days)

2009: 02-26-08 (456 days)

## ALJ

At the end of Fiscal Year 2009, ALJ had one backlogged request.

## VETS

At the end of Fiscal Year 2009, VETS had no backlogged requests.

**Two backlogged requests were pending at the close of FY 2008. The date of the oldest request was 3/14/2008.**

## OIG

OIG had nine backlogged FOIA requests.

**FY '08 - 0 Backlog**

**FY '09 - 9 backlogged requests (04-27-09 - date of oldest)**

## BLS

BLS had two backlogged FOIA requests at the end of FY 2009.

### **2009 - Oldest Pending Requests:**

- Backlogged FOIA request      Date: May 20, 2009      Pending
- Backlogged FOIA request      Date: June 8, 2009      Closed

**2008 - There were no backlogged or pending requests at the end of FY 2008.**

## Adj Bds

The Adjudicatory Boards did not have a FOIA backlog.

## WB

The Bureau had no backlogged FOIA requests.

## ODEP

ODEP did not have a FOIA backlog.

## ASP

ASP did not have a FOIA backlog.

## **OCIA**

OCIA did not have any backlogged FOIA requests.

## **ILAB**

ILAB did not have a backlog of FOIA requests.

## **CFO**

OCFO did not have a FOIA backlog.

## **OPA**

OPA did not have a FOIA backlog.

## **OSBP**

OSBP did not have a FOIA backlog.

## **SOL**

At the end of FY 2009, the Office of the Solicitor had 10 backlogged FOIA requests.

2009: Oldest Pending Request (07-05-2007 – 601 days)

2008: Oldest Pending Request (07-05-2007 – 332 days)

## **JOB CORP**

FOIA backlog numbers from FY **2008**: We experienced no backlog.

FOIA backlog numbers from FY **2009**: We experienced no backlog.

## **2. *Age of Requests***

The following is a listing of all backlogged appeals as of September 30, 2009:

## Age of "DOL" Backlogged Appeals as of September 30, 2009

DATE	Appeal Number	Number of Days Open	Agency
10/13/2005	050378	1448	OSHA
04/11/2006	060130	1268	EBSA
04/13/2006	060140	1266	ETA
01/31/2007	070079	973	OSHA
02/28/2007	070101	945	EBSA
03/23/2007	070134	922	BLS
04/18/2007	070162	896	OSHA
05/22/2007	070190	862	OALJ
07/18/2007	070246	805	OSHA
08/07/2007	070275	785	WHD
08/07/2007	070279	785	OSHA
09/28/2007	070312	733	OSHA
10/30/2007	080021	701	BLS
10/31/2007	080038	700	OSHA
11/20/2007	080043	680	OWCP
11/20/2007	080046	680	OSHA
12/21/2007	080075	649	OSHA
01/14/2008	080082	625	OASAM
02/19/2008	080111	589	OWCP
2/21/2008	080131	587	OSHA
03/06/2008	080138	573	OSHA
03/17/2008	080148	562	OSHA
03/18/2008	080153	561	ETA
03/18/2008	080155	561	OSHA
04/11/2008	080172	537	OSHA
04/11/2008	080174	537	OSHA
04/11/2008	080176	537	OSHA
04/15/2008	080177	533	OSHA
04/15/2008	080183	533	OSHA
04/15/2008	080185	533	OSHA
04/15/2008	080186	533	OSHA
04/22/2008	080182	526	SOL
04/29/2008	080175	519	OCFO
05/1/2008	080196	517	OSHA
05/02/2008	080198	516	OFCCP
05/2/2008	080199	516	OSHA
05/02/2008	080200	516	WHD
05/2/2008	080201	516	OSHA
05/2/2008	080202	516	WHD
05/02/2008	080203	516	VETS
05/02/2008	080206	516	OWCP
05/02/2008	080208	516	ESA



05/02/2008	080209	516	OSHA
05/02/2008	080210	516	OSHA
05/13/2008	080211	505	OWCP
05/14/2008	080217	504	OSHA
05/14/2008	080218	504	OFCCP
06/5/2008	080227	482	OSHA
06/05/2008	080234	482	OSHA
06/5/2008	080233	482	OSHA
06/6/2008	080238	481	OSHA
06/6/2008	080239	481	OSHA
06/18/2008	080256	469	OSHA
06/18/2008	080259	469	OSHA
07/07/2008	080270	450	OSHA
07/10/2008	080276	447	OWCP
07/10/08	080278	447	OSHA
07/10/08	080279	447	OSHA
07/10/08	080280	447	OSHA
07/11/08	080283	446	WHD
07/11/08	080285	446	OASAM
07/21/08	080295	436	WHD
07/24/2008	080297	433	OSHA
07/24/2008	080299	433	OSHA
08/06/2008	080310	420	OSHA
08/06/2008	080312	420	OSHA
08/29/08	080333	397	OSHA
08/29/08	080334	397	OSHA
09/05/2008	080342	390	OWCP
09/05/2008	080345	390	OSHA
09/05/2008	080346	390	OSHA
09/12/08	080352	383	ETA
09/17/08	080357	378	OSHA
09/17/08	080358	378	OSHA
10/16/2008	090010	349	ETA
10/16/2008	090011	349	ETA
10/16/2008	090012	349	ETA
10/20/2008	090017	345	OSHA
10/20/2008	090021	345	OSHA
11/06/08	090041	328	VETS
11/06/2008	090042	328	MSHA
11/17/08	090047	317	WHD
11/17/2008	090048	317	WHD
11/17/2008	090049	317	WHD
11/17/2008	090050	317	WHD
11/17/08	090051	317	OSHA
11/28/2008	090054	306	OSHA
11/28/2008	090055	306	ETA
11/28/2008	090058	306	MSHA
12/4/08	090064	300	OSHA

12/11/2008	090067	293	OSHA
12/11/2008	090069	293	OWCP
12/11/2008	090072	293	VETS
12/18/08	090080	286	ETA
12/30/08	090083	274	OSHA
01/9/09	090089	264	OSHA
01/09/09	090093	264	ETA
01/9/09	090094	264	OSHA
01/09/09	090098	264	OWCP
01/23/09	090101	250	ETA
01/23/09	090107	250	WHD
01/26/09	090111	247	OWCP
01/26/2009	090112	247	OSHA
02/11/09	090129	231	OIG
02/11/09	090130	231	OSHA
02/11/2009	090132	231	ETA
02/19/09	090125	223	OIG
02/19/2009	090139	223	OSHA
02/19/2009	090141	223	OSHA
03/11/09	090145	203	ETA
03/11/2009	090149	203	OSHA
03/18/2009	090156	196	WHD
03/18/2009	090159	196	ESA
03/18/2009	090161	196	ETA
03/23/2009	090171	191	OWCP
03/25/2009	090178	189	OSHA
03/25/2009	090179	189	OSHA
03/25/09	090180	189	OSHA
04/2/09	090185	181	ETA
04/2/09	090186	181	OWCP
04/15/2009	090189	168	MSHA
04/15/2009	090193	168	OSHA
04/23/2009	090197	160	OSHA
04/23/2009	090203	160	OSHA
04/23/2009	090204	160	ETA
05/05/2009	090212	148	OSHA
05/05/2009	090215	148	OSHA
05/08/2009	090217	145	ETA
05/8/09	090219	145	OWCP
05/08/2009	090223	145	OSHA
05/20/2009	090226	133	OSHA
05/20/2009	090227	133	ETA
05/20/2009	090230	133	OSHA
06/10/2009	090234	112	OWCP
06/10/2009	090236	112	ETA
06/10/2009	090238	112	OSHA
06/10/09	090241	112	WHD
06/15/2009	090252	107	ETA

06/15/09	090253	107	OJC
06/17/2009	090244	105	VETS
06/25/2009	090260	97	ETA
06/25/09	090251	97	OSHA
06/25/09	090261	97	ETA
06/25/2009	090263	97	OASAM
06/25/2009	090264	97	OSHA
06/26/2009	090269	96	OSHA
07/07/2009	090271	85	ETA
07/10/2009	090275	82	OSHA
07/10/2009	090276	82	OSHA
07/22/09	090279	70	ETA
07/22/2009	090285	70	OASAM
08/05/2009	090287	56	OWCP
08/05/2009	090288	56	ETA
08/05/2009	090290	56	ETA
08/05/2009	090292	56	OSHA
08/05/2009	090293	56	OSHA
08/05/2009	090294	56	OSHA
08/14/2009	090295	47	ETA
08/14/2009	090296	47	ETA
08/14/2009	090297	47	ETA
08/14/2009	090298	47	OWCP
08/14/2009	090299	47	MSHA
08/17/2009	090301	44	WHD
08/17/2009	090303	44	ETA
08/17/2009	090306	44	OSHA
08/17/09	090309	44	ESA
08/17/09	090310	44	OWCP
08/17/09	090312	44	OWCP
08/18/2009	090313	43	OSHA
08/19/2009	090318	42	OSHA
08/19/09	090319	42	VETS
08/19/2009	090320	42	OSHA
08/27/2009	090322	34	OSHA
08/27/09	090324	34	SOL
08/28/2009	090325	33	ETA
08/28/2009	090328	33	OFCCP
08/28/2009	090329	33	OSHA
09/8/09	090330	22	ETA

**Note:** The Director of the FOIA Appeals Unit maintains monthly records to document the number of appeals issued, received, and progress on reducing the backlog, and report the progress to the Deputy Associate and Associate Solicitor, and, upon request, to the Deputy Solicitor. In the last FY, SOL advertised for and hired a third attorney for the counsel area (although her start date was not until FY 2010). The Appeals Unit also regularly utilizes the two track system to insure that small routine cases of approximately 20 pages or less are responded to

quickly. Processing personnel routinely call requesters to negotiate with them to limit requests and to see if requesters are still interested in older requests.

***Component Responses:***

**OSHA**

<b>OSHA FOIA Backlog (As of the End of FY 2009)</b>		
1	10/23/08	236
2	10/22/08	237
3	10/22/08	237
4	10/16/08	240
5	10/15/08	241
6	10/15/08	242
7	10/6/08	247
8	10/3/08	248
9	10/3/08	248
10	10/2/08	249
11.	1/19/08	635
12	1010/08	360
13	1010/08	360
14	10/12/08	358
15	1117/08	353
16	11/24/08	346
17	12/5/08	335
18	12/2/08	307
19	12/15/08	294
20	12/26/08	283
21	1/3/09	275
22	1/10/09	268
23	1/11/09	267
24	1/13/09	266
25	1/17/09	261
26	3/18/09	260
27	1/19/09	259
28	1/19/09	259
29	1/24/09	254
30	1/25/09	253
31	2/4/09	246
32	2/4/09	246
33	2/11/09	239
34	2/12/09	238
35	2/16/09	234
36	2/16/09	234
37	2/17/09	233
38	2/19/09	231

**OSHA FOIA Backlog  
(As of the End of FY 2009)**

39	2/24/09	226
40	2/24/09	226
41	2/28/09	220
42	3/2/09	217
43	3/14/09	205
44	3/14/09	205
45	3/22/09	197
46	3/24/09	195
47	3/27/09	192
48	3/27/09	192
49	3/28/09	191
50	4/6/09	183
51	4/6/09	183
52	4/7/09	182
53	4/12/09	177
54	4/13/09	176
55	4/18/09	171
56	4/18/09	169
57	4/19/09	170
58	4/20/09	169
59	4/26/09	163
60	4/27/09	162
61	4/27/09	162
62	4/27/09	162
63	4/29/09	160
64	5/2/09	156
65	5/5/09	153
66	5/5/09	153
67	5/8/09	150
68	5/10/09	148
69	5/15/09	143
70	5/16/09	142
71	5/16/09	142
72	5/17/09	141
73	5/23/09	135
74	5/25/09	133
75	6/8/09	120
76	6/10/09	118
77	6/10/09	118
78	6/10/09	118
79	6/20/09	108
80	6/20/09	108
81	6/21/09	107
82	6/22/09	106
83	6/23/09	105

**OSHA FOIA Backlog  
(As of the End of FY 2009)**

84	6/27/09	101
85	6/28/09	100
86	6/30/09	98
87	6/30/09	98
88	6/3/09	98
89	7/3/09	64
90	7/4/09	63
91	7/4/09	63
92	7/6/09	61
93	7/7/09	60
94	7/10/09	57
95	7/10/09	57
96	7/11/09	56
97	7/14/09	53
98	7/17/09	40
99	7/17/09	40
100	7/16/09	38
101	7/20/09	47
102	7/20/09	47
103	7/21/09	46
104	7/25/09	42
105	7/27/09	42
106	7/28/09	39
107	7/31/09	36
108	7/31/09	36
109	8/2/09	34
110	8/2/09	34
111	8/4/09	32
112	8/8/09	28
113	8/9/09	27
114	8/9/09	27
115	8/11/09	26
116	8/14/09	25
117	8/14/09	25
118	8/15/09	24
119	8/17/09	23
120	8/18/09	22
121	8/21/09	20
122	8/22/09	19
123	8/23/09	18
124	8/25/09	6
125	8/25/09	6
126	8/28/09	4
127	8/28/09	4
128	8/29/09	3

**OSHA FOIA Backlog  
(As of the End of FY 2009)**

129	8/29/09	3
130	8/30/09	1
131	8/30/09	1
132	8/30/09	1
133	8/30/09	1
134	8/30/09	1
135	5/6/09	83
136	8/13/09	14
137	8/25/09	6
138	8/25/09	6
139	8/31/09	2
140	5/20/05	1483
141	2/19/08	478
142	11/16/08	217
143	11/10/08	213
144	11/12/08	211
145	11/19/08	204
146	11/24/08	199
147	12/04/09	189
148	12/05/09	188
149	12/16/08	177
150	12/17/08	176
151	2/5/09	126
152	2/6/09	125
153	2/9/09	122
154	2/10/09	121
155	2/17/09	114
156	2/23/09	108
157	2/24/09	107
158	3/3/09	100
159	3/24/09	79
160	3/27/09	76
161	3/31/09	72
162	4/6/09	66
163	4/9/09	63
164	4/10/09	62
165	4/14/09	58
166	4/16/09	56
167	4/21/09	51
168	4/29/09	43
169	4/30/09	42
170	5/1/09	41
171	5/4/09	38
172	5/5/09	37
173	5/6/09	36

**OSHA FOIA Backlog  
(As of the End of FY 2009)**

174	5/13/09	29
175	5/14/09	28
176	5/19/09	23
177	5/22/09	20
178	5/28/09	14
179	6/2/09	9
180	6/4/09	7
181	6/8/09	3
182	12/29/08	297
183	1/14/09	236
184	1/20/09	229
185	2/4/09	216
186	2/4/09	216
187	3/3/09	190
188	3/16/09	167
189	4/20/09	132
190	4/20/09	132
191	5/6/09	123
192	6/9/09	90
193	6/17/09	77
194	6/29/09	68
195	6/29/09	68
196	7/16/09	48
197	8/14/09	25
198	8/17/09	22
199	8/28/09	21
200	11/10/08	320
201	11/10/08	320
202	11/17/08	313
203	1/2/09	267
204	1/15/09	254
205	2/11/09	227
206	2/17/09	221
207	2/18/09	220
208	2/24/09	214
209	2/25/09	213
210	3/11/09	199
211	3/12/09	198
212	3/16/09	194
213	3/16/09	194
214	3/19/09	191
215	3/24/09	186
216	4/14/09	165
217	4/14/09	165
218	4/24/09	155



<b>OSHA FOIA Backlog (As of the End of FY 2009)</b>		
219	4/28/09	151
220	5/6/09	143
221	5/7/09	142
222	5/12/09	137
223	5/13/09	136
224	5/18/09	131
225	5/19/09	130
226	5/20/09	129
227	5/26/09	123
228	5/29/09	120
229	6/2/09	116
230	6/8/09	110
231	6/16/09	102
232	6/17/09	101
233	6/23/09	95
234	6/25/09	93
235	7/10/09	78
236	7/23/09	65
237	7/30/09	58
238	8/6/09	51
239	8/7/09	50
240	8/10/09	47
241	8/25/09	32
242	8/28/09	29
243	8/31/09	26
244	9/17/09	9
245	9/18/09	8
246	9/21/09	5
247	9/25/09	1
248	8/4/09	53
249	2/27/09	146

**OFCCP**

**FY 2008 Backlogged FOIA Requests (10 Oldest)**

<b>Agency</b>	<b>Total Number of Backlogged FOIA Requests</b> (Number of Requests Pending Beyond Statutory Time Period of 20 Days)	<b>Dates of 10 Oldest Backlogged FOIA Requests</b>	<b>Number of Days Pending</b>
<b>OFCCP</b>	14	02/07/2008 02/26/2008 04/07/2008 04/15/2008 04/18/2008 04/18/2008 04/18/2008 04/29/2008 07/21/2008 07/21/2008	152 59 122 117 102 67 25 98 42 42

**FY 2009 Backlogged FOIA Requests**

<b>Agency "OFCCP"</b>	<b>Total Number of Backlogged FOIA Requests</b> (Number of Requests Pending Beyond Statutory Time Period of 20 Days)	<b>Dates of Backlogged FOIA Requests</b>	<b>Number of Days Pending</b>
	9	05/05/2009 05/08/2009 06/26/2009 06/26/2009 06/26/2009 06/26/2009 06/26/2009 06/26/2009 07/13/2009 08/24/2009	92 98 67 67 67 67 67 67 57 27

**OLMS**

**2009**

April 28, 2009 (pending 155 days)

April 28, 2009 (pending 155 days)

July 14, 2009 (tolled) (pending 78 days)

**2008**

July 30, 2008 (completed)  
September 19, 2008 (completed)

## OWCP – OWCP did not have a backlog.

### WHD

Wage and Hour Division	
Date of Request	Number of Days Pending
06/23/2009	100
08/17/2009	45
08/24/2009	38
09/02/2009	29
09/17/2009	14
09/24/2009	7
09/24/2009	7
09/24/2009	7
09/25/2009	6
08/12/2009	50
02/05/2007	969
02/12/2008	597
08/20/2008	407
02/18/2009	225
04/20/2009	164
06/04/2009	119
06/05/2009	118
06/19/2009	104
06/19/2009	104
06/26/2009	97
06/25/2009	98
06/29/2009	94
07/10/2009	83
07/06/2009	87
07/06/2009	87
07/07/2009	86
07/13/2009	80
07/06/2009	87
07/13/2009	80
07/17/2009	76
07/17/2009	76
08/03/2009	59
08/06/2009	56
08/11/2009	51
08/12/2009	50
08/12/2009	50
08/13/2009	49
08/17/2009	45
08/18/2009	44
08/12/2009	50

Wage and Hour Division	
Date of Request	Number of Days Pending
08/19/2009	43
08/20/2009	42
08/21/2009	41
08/24/2009	38
08/24/2009	38
08/26/2009	36
08/26/2009	36
08/27/2009	35
08/31/2009	31
09/01/2009	30
09/01/2009	30
09/01/2009	30
09/01/2009	30
09/01/2009	30
09/01/2009	30
09/01/2009	30
09/01/2009	30
09/01/2009	30
09/01/2009	30
09/01/2009	30
09/03/2009	28
09/03/2009	28
09/03/2009	28
09/04/2009	27
09/08/2009	23
09/08/2009	23
09/08/2009	23
09/09/2009	22
09/09/2009	22
09/10/2009	21
09/11/2009	20
09/11/2009	20
09/11/2009	20
08/26/2009	36
09/14/2009	17
09/14/2009	17
09/01/2009	30
09/14/2009	17
09/14/2009	17
09/15/2009	16
09/15/2009	16
09/15/2009	16
09/21/2009	10
09/17/2009	14
09/21/2009	10
09/21/2009	10
09/25/2009	6
09/29/2009	2
09/10/2009	21
11/15/2007	686
08/31/2009	31
06/22/2006	1197

Wage and Hour Division	
Date of Request	Number of Days Pending
07/08/2008	450
08/11/2008	416
10/27/2008	339
09/09/2009	22
09/02/2009	29
08/10/2009	52
08/13/2009	49
09/15/2009	16
09/15/2009	16
09/18/2009	13
09/21/2009	10
09/15/2009	16
10/11/2006	1086
09/29/2008	367
11/19/2008	316
12/08/2008	297
05/26/2009	128
05/29/2009	125
06/15/2009	108
06/15/2009	108
06/19/2009	104
06/19/2009	104
06/09/2009	114
06/19/2009	104
06/29/2009	94
06/26/2009	97
06/26/2009	97
06/26/2009	97
06/26/2009	97
07/10/2009	83
06/30/2009	93
07/15/2009	78
07/17/2009	76
07/20/2009	73
08/10/2009	52
07/29/2009	64
07/30/2009	63
08/04/2009	58
08/04/2009	58
08/12/2009	50
08/12/2009	50
08/13/2009	49
08/14/2009	48
08/27/2009	35
08/19/2009	43
08/20/2009	42
08/20/2009	42
08/24/2009	38
08/11/2009	51
09/01/2009	30

Wage and Hour Division	
Date of Request	Number of Days Pending
09/02/2009	29
09/03/2009	28
09/10/2009	21
08/17/2009	45
08/19/2009	43
09/15/2009	16
09/15/2009	16
09/15/2009	16
09/16/2009	15
09/21/2009	10
09/23/2009	8
09/23/2009	8
09/23/2009	8
09/23/2009	8
09/18/2009	13
09/14/2009	17
09/23/2009	8
09/23/2009	8
09/10/2009	21
09/10/2009	21
09/10/2009	21
09/10/2009	21
09/14/2009	17
10/14/2008	352

## MSHA

AGENCY "MSHA"	Number of Backlogged Requests	Dates of Backlogged Requests	Number of Days
MSHA	41	August 13, 2007	536
		September 25, 2007	500
		October 22, 2007	488
		February 8, 2008	412
		March 24, 2008	384
		August 4, 2008	291
		August 7, 2008	279
		August 28, 2008	264
		December 29, 2008	176
		January 23, 2009	157
		March 12, 2009	128
		March 31, 2009	122
		June 2, 2009	76
		June 15, 2009	76
June 15, 2009	76		
June 15, 2009	73		

AGENCY "MSHA"	Number of Backlogged Requests	Dates of Backlogged Requests	Number of Days
		June 18, 2009	72
		June 8, 2009	67
		June 8, 2009	66
		June 29, 2009	66
		June 29, 2009	66
		June 29, 2009	62
		June 8, 2009	58
		July 31, 2009	43
		July 31, 2009	42
		August 3, 2009	42
		August 4, 2009	41
		August 5, 2009	39
		August 10, 2009	36
		June 29, 2009	34
		September 1, 2009	21
		September 4, 2009	18
		September 4, 2009	18
		September 9, 2009	16
		September 14, 2009	13
		September 15, 2009	12
		September 14, 2009	12
		September 16, 2009	11
		September 21, 2009	8
		September 14, 2009	7
		September 15, 2009	4

## EBSA

EBSA	Request Date	Number of Days Pending
1.	4/17/2009	177 days
2.	5/12/2009	160 days
3.	6/8/2009	142 days
4.	6/9/2009	141 days

EBSA	Request Date	Number of Days Pending
5.	6/9/2009	141 days
6.	6/22/2009	133 days
7.	6/22/2009	133 days
8.	6/23/2009	132 days
9.	6/23/2009	132 days
10.	6/23/2009	132 days
11.	6/29/2009	127 days
12.	6/30/2009	126 days
13.	6/30/2009	126 days
14.	6/30/2009	126 days
15.	6/30/2009	126 days
16.	6/30/2009	126 days
17.	6/30/2009	126 days
18.	6/30/2009	126 days
19.	7/17/2009	114 days
20.	8/4/2009	102 days
21.	8/4/2009	102 days
22.	8/7/2009	99 days
23.	8/11/2009	97 days
24.	8/13/2009	95 days
25.	9/11/2009	75 days
26.	10/8/2009	56 days
27.	10/13/2009	54 days
28.	10/13/2009	54 days
29.	10/26/2009	45 days
30.	10/30/2009	41 days
31.	11/12/2009	34 days
32.	11/16/2009	
33.	11/18/2009	

## ETA

<b>ETA - FY 2009 FOIA Backlog</b>	
<b>Request Date</b>	<b>Number of Days Pending</b>
1/24/2008	424
7/1/2008	310
7/5/2008	314
8/11/2008	286
9/12/2008	263
11/21/2008	215
12/1/2008	205
12/1/2008	205
1/6/2009	180
16/2009	180
2/3/2009	168



<b>ETA - FY 2009 FOIA Backlog</b>	
<b>Request Date</b>	<b>Number of Days Pending</b>
2/4/2009	167
2/4/2009	167
2/4/2009	167
2/5/2009	166
2/21/2009	152
2/23/2009	150
2/23/2009	150
2/23/2009	150
3/9/2009	145
3/9/2009	145
3/9/2009	145
3/9/2009	145
3/9/2009	145
3/10/2009	144
3/10/2009	144
3/10/2009	144
3/10/2009	144
3/10/2009	144
3/10/2009	144
3/10/2009	144
3/10/2009	144
3/11/2009	143
3/11/2009	143
3/11/2009	143
3/12/2009	142
3/12/2009	142
3/12/2009	142

## OASAM

<b>OASAM SIMS Number</b>	<b>Date of Request</b>	<b>Days Pending</b>
552422	3/26/2009	225
553871	4/6/2009	217
555019	4/15/2009	210
557046	4/28/2009	210
559422	5/12/2009	192
561359	5/20/2009	178
561617	5/20/2009	175
561634	5/28/2009	175
561841	5/20/2009	174
561844	5/20/2009	174

<b>OASAM SIMS Number</b>	<b>Date of Request</b>	<b>Days Pending</b>
561845	5/20/2009	174
561848	5/20/2009	174
561850	5/20/2009	174
562005	5/20/2009	174
562009	5/20/2009	174
562011	5/20/2009	174
562012	5/20/2009	174
563549	6/9/2009	173
564977	5/20/2009	173
564982	5/23/2009	172
564968	5/21/2009	171
562587	6/12/2009	170
563876	5/20/2009	169
563903	5/20/2009	169
563909	5/20/2009	169
563976	5/20/2009	169
563980	5/20/2009	169
563982	5/20/2009	169
563998	5/20/2009	169
565130	5/20/2009	168
565131	5/20/2009	168
555186	4/16/2009	166
565314	7/1/2009	166
563869	5/17/2009	164
564681	3/14/2009	160
566439	7/9/2009	159
567103	7/15/2009	156
567107	7/15/2009	156
567900	7/22/2009	151
568783	7/15/2009	148
567512	6/26/2009	148
569143	7/28/2009	147
569148	7/29/2009	146
570632	8/5/2009	141

OASAM SIMS Number	Date of Request	Days Pending
570889	8/6/2009	141
570910	8/10/2009	138
571386	8/12/2009	136
571488	8/6/2009	135
571508	8/16/2009	133
571534	8/17/2009	132
572577	8/25/2009	127
572575	8/25/2009	127
572576	8/25/2009	126
573169	8/28/2009	123
576483	9/23/2009	106

## ALJ

8-26-2009 (25 days pending)

## VETS – VETS does not have a FOIA backlog.

## OIG

04-27-2009 (168 days pending)  
05-28-09 (148 days pending)  
06-05-09 (142 days pending)  
06-18-09 (93- days pending/closed)  
07-07-09 (122 days pending)  
07-07-09 (107- days pending/closed)  
08-03-09 (88- days pending/closed)  
08-24-09 (38- days pending/closed)  
08-25-09 (46- days pending/closed)

## BLS

FOIA request -- **May 20, 2009** pending 167 days  
FOIA request -- **June 8, 2009** pending 108 days

## Adj Bds – The Adjudicatory Boards did not have a backlog.

## WB – The Women’s Bureau did not have a backlog.

## ODEP – ODEP did not have a backlog.

**ASP - ASP did not have a backlog.**

**OCIA – OCIA did not have a backlog.**

**ILAB – ILAB did not have a backlog.**

**CFO – CFO did not have a backlog.**

**OPA – OPA did not have a backlog.**

**OSBP – OSBP did not have a backlog.**

**SOL**

**SOL - Backlogged FOIA Requests  
(As of September 30, 2009)**

<b>Date of Request</b>	<b>Number of Days Pending</b>
7/5/2007	562
9/11/2007	510
9/4/2008	267
10/29/2008	231
11/14/2008	220
1/8/2009	181
1/13/2009	175
1/23/2009	170
1/23/2009	170
2/6/2009	165

**JOB CORP – Job Corp did not have a backlog.**

**3. Backlog Reduction Steps**

**OSHA – N/A**

## **OFCCP – N/A**

## **OLMS**

OLMS is in consultation with its Solicitor's office to determine the appropriate disposition of its two oldest requests. They are comprehensive requests for voluminous documents related to pending regulatory activity. The July 14, 2009 request has been tolled pending the requestor's payment of fees associated with processing his request. See 29 C.F.R. §70.43(d).

## **OWCP – N/A**

## **WHD – N/A**

## **MSHA**

The number of requests the agency receives continues to increase each year. We have several requests that require the review and redaction of voluminous records and involve more than one Program Area. We have taken steps to improve timeliness in responding to requests. The agency has identified ways to streamline the process when responding to requests. Routine meetings are held with Program Areas with a backlog.

## **EBSA**

The backlog remained steady due to a heavy workload. We have added FOIA activities to an additional person's duties and expect that the backlog will drop in the second quarter. Also, the posting of the Form 5500 data sets, some of the most often requested records, will help to alleviate the small backlog that has accumulated.

During the second quarter of 2010, EBSA staff has been focusing on the backlog and during have closed 19 of the oldest backlogged FOIAs listed above and expect to close most if not all of them by the end of the second quarter.

## **ETA**

There has been a significant decrease in the age of backlogged requests as reported in this year's final report. ETA personnel have worked out the processes outlined in Section II in order to effectively reduce the backlog of requests.

## **OASAM**

OASAM experienced a significant increase in the overall number of requests in 2009 and consequently reflected a comparable increase in the number of backlogged FOIAs. However, we are employing all available avenues to reduce outstanding FOIAs and proactively work with all OASAM Centers and Regions to expedite closure of all backlogged requests.

**ALJ – N/A** (OALJ does not have a backlog of FOIA requests.)

**VETS – N/A**

**OIG**

OIG received two appeals that were remanded to the Agency for processing, and an influx of requests for investigative cases or sensitive IT audits that are large volume and take time to process and are not routine in nature. The issues OIG is handling trigger requests from witnesses/subjects of investigations, law firms, and a few media requests.

**BLS – N/A**

**Adj Bds – N/A**

**WB – N/A**

**ODEP – N/A**

**ASP – N/A**

**OCIA – N/A**

**ILAB – N/A**

**CFO – N/A**

**OPA – N/A**

**OSBP – N/A**

**SOL**

SOL FOIA backlog is mostly attributable to requests that are currently undergoing litigation and/or require the release of voluminous records. In an effort to remedy the issue, the agency has hired additional FOIA staff.

**JOB CORP – N/A**

#### **4. Steps to Improve Timeliness**

**OSHA**

OSHA is currently reviewing FOIA processes.

## **OFCCP**

OFCCP is improving timeliness in responding to FOIA requests through oversight by the agency's FOIA coordinator and an emphasis on opening lines of communication with requestors.

## **OLMS**

Pursuant to DOL's FOIA regulations, OLMS has implemented a multi-track processing system that distinguishes between simple and more complex requests based on the amount of work and/or time needed to process the request. See 29 C.F.R. §70.25. OLMS grants priority processing to simple requests. OLMS routinely contacts requestors in an attempt to limit the scope of comprehensive, complex requests so that they might be more expeditiously processed. Where complex requests cannot be narrowed, OLMS provides disclosable documents in incremental responses. In addition, OLMS aggregates multiple requests when appropriate.

## **OWCP**

We diligently work with FOIA requestors to narrow large requests as appropriate. OWCP utilizes technology to track and complete FOIA requests. We have assigned a Division FOIA Coordinator and have weekly updates on pending and overdue FOIAs. We also work closely with SOL for guidance on technical and legal issues.

Current pending requests involve meticulous review and redaction of claim files containing PII. We try to work on these complex, exhaustive data requests as quickly as our workload allows. Other pending requests seek a broad spectrum of data from our claim database and from individual cases files. We ask requestors to narrow the scope of the request.

## **WHD**

WHD is currently reviewing FOIA processes.

## **MSHA**

Reminders are sent to Disclosure Officers of the importance of timely disclosures. Partial disclosures are being made while continuing to process the remainder of the request. Status updates are sent to keep requestors informed on the status of their requests.

## **EBSA**

During the second quarter of 2010, EBSA staff has been focusing on the backlog. During this time, the agency has closed 19 of its oldest backlogged FOIAs, and expects to close most if not all of them by the end of the second quarter.

## **ETA**

- ETA is working on increasing the number of response templates and electronic acknowledgment letters to improve timeliness of FOIA processing.
- ETA has also implemented identified key roles in and dual control in response to appeal processing. The number of pending requests is unknown at this time.

## **OASAM**

As noted, CPPR implemented an internal data tracking system to supplement and ensure the accuracy of the SIMS database and utilizes Microsoft Outlook to create due-date markers to ensure timely responses. These tools assist the office in determining when responses approaching a delinquency status – so that steps can be taken before a response is overdue. As noted above, the status of pending FOIAs are provided to OASAM leadership on a weekly basis (both National Office and Regions).

## **ALJ – N/A**

## **VETS – N/A**

## **OIG**

OIG makes efforts to send interim letters, call requesters, and sending out initial partial responses to demonstrate good faith effort in order to deal with late requests.

## **BLS**

FOIA processes are currently under review.

## **Adj Bds - N/A**

## **WB**

Overall, the Women’s Bureau has maintained a very good record of managing and responding to FOIA requests and FOIA-related matters. The Bureau will continue to work to ensure compliance with the requirements established under the FOIA statute. The entails in part, continuing to work collaboratively and collectively with departmental agency components, WB National and Regional Office staff, and constituents as necessary. The Bureau will increase its use of technology to respond to requesters electronically via email and/or fax. Improvements will be assessed and implemented as needed.

## **ODEP – N/A**

## **ASP**

OASP is currently reviewing its FOIA procedures.



**OCIA – N/A**

**ILAB – N/A**

**CFO – N/A**

**OPA – N/A**

**OSBP – N/A**

**SOL**

The Office of the Solicitor has taken the necessary steps to hire additional FOIA personnel. These actions will have a direct impact on the reduction of FOIA backlog.

**JOB CORP – N/A**