

Updated Freedom of Information Act (FOIA) Improvement Plan  
of The Postal Regulatory Commission in  
Response to Executive Order 13392

January 11, 2008

BACKGROUND

The Postal Accountability and Enhancement Act, (PAEA), Public Law 109-435, made several major changes to the mission of the former Postal Rate Commission (PRC), including changing its name to the Postal Regulatory Commission.

As a consequence, the Commission has added this document as an update to its 2006 FOIA Improvement Plan. Over the period of the Annual Report, the organizational transition to the Postal Regulatory Commission was not yet complete, but from the nature of the changes in the PAEA, the Commission anticipates receiving a greater number of FOIA requests in future years.

The Commission intends to maintain its long-standing policy of providing as much of the PRC's work products as possible to the public through its website at [www.prc.gov](http://www.prc.gov). FOIA compliance and public information access efforts have benefited from our relatively small size and simple organizational structure.

FOIA REVIEW

Written FOIA requests come directly into the Office of the Secretary and are time and date stamped upon arrival. Electronic requests coming through agency's FOIA page are routed directly to the Secretary of the Commission and the FOIA Public Liaison Officer. The Commission's policy is to respond within twenty working days.

The only time the Commission has experienced a backlog on pending FOIA requests, has been when requests are made for reports that contain data from the U.S. Postal Service, which has been claimed to be commercially sensitive business information, and that information must be redacted by the U.S. Postal Service from our report, prior to its being released to the requestor. Workhours devoted to redacting large volumes of data can be difficult for small agencies, such as the PRC, to set aside, when staff is primarily assigned other duties.

We anticipate that a more competitive U.S. Postal Service, as envisioned by the PAEA, will generate more requests for information based on data which the U.S. Postal Service considers to be protected.

Tracking of FOIA Requests continues to be done by use of a spreadsheet in a database with an entry for the name, subject of the request, date it was received and date on which a response was sent and the number of days lapsed between the two dates. This procedure

will become more difficult if there are multiple individuals handling the requests, however, with our level of requests it has proved manageable and sufficient.

### FOIA PLAN

The 2006 Review, identified two areas for possible improvements:

1. Implementing a reliable method for sending reminder notification to Commission personnel of when an acknowledgement or a response must be sent to the Requestor. The Commission utilizes the Task function in Microsoft Outlook to assign a FOIA Request with the appropriate dates for action on that Request. This has been successfully implemented.
2. A long-term solution identified in 2006 proved more difficult as the level of requests were not deemed sufficient to justify the expense of developing a document management system for FOIA requests alone. However, the new requirements brought about by the transition to the Postal Regulatory Commission and our growing needs has added justification to this requirement and the Commission is now exploring a document management system that will allow for the tracking of all documents, include FOIA requests and improved tracking of FOIA requests will be one of the beneficiaries of such a system. The requirements for such a system are being developed now, with implementation expected in the first quarter of 2009.

As the Commission continues to implement its new responsibilities under the PAEA, additional FOIA requests are anticipated and automating the tracking management process should expedite dissemination of information to the requester.

Freedom of Information Act (FOIA) Review  
Of The Postal Rate Commission in  
Response to Executive Order 13392

June 12, 2006

BACKGROUND

The Postal Rate Commission (PRC) was established in 1971 as an independent agency of the Federal government with the mission of adjudicating the appropriateness of the rates and fees charged by the U.S. Postal Service. The PRC currently has 54 employees divided into five departments: Commissioners, Administrative, General Counsel, Revenue Analysis and Planning and the Consumer Advocate.

Since the PRC's establishment in 1971, its policy has been to provide as much of the PRC's work products as possible to the public. Initially this was done through the maintenance of public Dockets and Library areas within the Administrative Office. With the establishment of an Internet presence that policy was carried through and made stronger as immediate access to PRC documents online became the primary focus of our Internet presence, although the PRC still maintains physical Library and Dockets sections. It was decided at that time that providing documents online would best serve the needs of the PRC, participants in PRC proceedings and the general public, by making them available quicker and without the cost of providing hardcopy service of the documents on all proceeding participants on the part of the PRC or the participants themselves. A normal omnibus rate case will produce around 35,000 pages of documents these must be provided to as many as 100 interveners or participants to the cases and be made available to the public. The hardcopy service requirement resulted in those pages being duplicated 100 times or more for distribution purposes. The PRC has experienced savings of several hundred thousand dollars by providing legal service electronically, from its budget of \$9.8 million. There is no way to quantify the savings to public participants, but anecdotal conversations have indicated their savings were very similar.

Our FOIA compliance and or public access efforts have benefited from our relatively small size and simple organizational structure. The Administrative Office is directed by the Secretary and Chief Administrative Officer. Falling under that Officer is the responsibility for implementation of our Information Technology, Budget, Human Capital, Library, Dockets and its FOIA/Privacy Act compliance efforts. I report directly to the Chairman of the PRC and his fellow Commissioners and consult frequently with the PRC's General Counsel. To assist me I have a Deputy Chief Administrative Officer whose primary responsibilities are budget, purchasing and personnel. I also have two IT staff members and an employee in Dockets and one in the Library plus two administrative support positions. Therefore, except for the Chairman and individual Commissioner's personal files, all Commission documents are under the authority of the Office of the Secretary and Chief Administrative Officer who also happens to be the Chief FOIA/Privacy Act Officer.

## FOIA REVIEW

As a result of the above, the PRC receives few actual FOIA requests. Those that we do receive tend to be direct marketing related, for example, from whom did we last purchase carpet, the names of Smart Pay card holders. We also get occasional inquires about our budget, and occasional requests for information controlled by the U.S. Postal Service.

Written FOIA requests come directly into my office and are time and date stamped upon arrival. Electronic requests coming through agency's FOIA page are routed directly to me, or our Public Liaison. The PRC's policy is to respond within twenty working days in either case and except for several requests for one type of document, whose confidentiality is required by the U.S. Postal Service, that limit has not been difficult to meet. The only time the PRC has experienced any type of backlog on pending FOIA requests, has been when requests are made for PRC reports that contain data the U.S. Postal Service has claimed to be commercially sensitive business information and that information must be redacted from our report prior to its being released to the requestor. Workhours devoted to redacting large volumes of data can be difficult for small agencies, such as the PRC, to set aside, when staff are primarily assigned duties more closely aligned with its mission.

Tracking of FOIA Requests is done by use of a simple spreadsheet with an entry for the name, subject of the request, date it was received and date on which a response was sent and the number of days lapsed between the two dates. This procedure would be more difficult were there multiple individuals handling the requests, however, with our level of requests it has proved manageable and sufficient.

## FOIA PLAN

Our Review demonstrated two areas that are candidates for improvements:

1. The existing PRC system lacks a reliable method for sending reminders as to when an acknowledgement or a response must be sent to the Requestor. This has not traditionally been a problem, because the Chief FOIA Officer has been solely responsible. It could, however, become a problem as the responsibility is devolved onto subordinates or other PRC employees. Therefore, the PRC will adopt short and long-term methods for automatically reminding the Chief FOIA Officer when responses are due.
  - a. The short-term solution will be for the FOIA Officer to utilize the Task function in Microsoft Outlook to assign a FOIA Request and the appropriate Dates for action on that Request. This can be done by December 31, 2006.
  - b. The long-term solution will be to devise an automatic timer function that will both track requests when they are entered, and send automated message reminders to the FOIA Officer when responses are due. Because the PRC receives a limited number of requests, it would be difficult to demonstrate an urgent need for such a solution or justify a large expenditure on it. This would be particularly true if the short-term function proves to be successful

in meeting our needs. This might be completed by December 31, 2007 or later. It will certainly require another review before the PRC would commit to it.

2. Improvements are potentially needed in the handling of requests for agency reports that contain business or commercially sensitive data provided by the U.S. Postal Service. This is a rare occurrence but a standardized procedure would be helpful, should the number of FOIA requests, and the number of personnel handling such requests, at the PRC grow. The Administrative office and the General Counsel's office will consult more frequently on the status of these and other more detailed and difficult requests, while those requests are pending.