USDA

United States Department of Agriculture

Office of the Secretary
Washington, D.C. 20250

JUN 13 2006

The Honorable Alberto R. Gonzales
Attorney General of the United States
U.S. Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530-0001

Rob Portman
Director
Office of Management and Budget
725 17th Street, NW
Washington, DC 20503

Dear Attorney General Gonzales and Director Portman:

In accordance with Executive Order 13392, the United States Department of Agriculture (USDA) is submitting the attached report on the state of our Freedom of Information Act (FOIA) program, including a plan that will detail the steps we are taking to ensure that our program continues to be in full compliance with the law and the Executive Order, and continues to improve in all of the key areas.

The USDA FOIA Program is decentralized, with twenty-one FOIA Officers and programs at the mission-area and agency levels, administered under the guidance and direction of the USDA Chief FOIA Officer. Our program benefited greatly from the internal review undertaken by each of these FOIA areas.

The enclosed report relates the Department's overall review findings with corresponding agency goals and delineates the individual agency plans as tabbed attachments. The Departmental review generated ideas for improvement which were shared amongst the agency FOIA Officers. The agency FOIA Officers then incorporated the improvements into their individualized plans.

USDA will report our progress on the goals that we have set for ourselves in the annual FOIA reports. Our service to the people of the United States including their right to information remains a priority of the Department. If you have questions regarding the enclosure or program, please contact the USDA Chief FOIA Officer, Mr. Boyd K. Rutherford at (202) 720-3291.

Sincerely,

Mike Johanns
Secretary

Enclosure

USDA Freedom of Information Act Review
June 14, 2006

A. USDA Freedom of Information Act (FOIA) Program Description:

USDA has a decentralized FOIA Program under the direction of The Chief FOIA Officer, the Assistant Secretary for Administration. There are twenty-one FOIA Officers at the Mission Area and Agency levels. Each of the Agency FOIA Officers implemented a separate review of their FOIA program, and developed their own plan for improvement. Those plans are attached to this report and are separated by tabs for each program. A summary table is presented at the first tab to allow for a quick look at how the USDA Agencies are approaching each of the suggested areas for improvement.

Although each Agency is a separate entity, there are common threads that are apparent as a result of this review and planning process. Agencies generally have stressed the need to continually improve on the reduction of backlogs and on the development and use of tracking systems that would allow more timely information on the status of each FOIA request to both USDA employees and the general public. In addition, the enhancement of the use of the web for both dissemination of information and for electronic FOIA submission is being pursued by several Agencies. Updating the Department FOIA regulations will provide guidance for each of the Agency FOIA programs to provide more detailed guidance in their own Agencies.

B. All Areas Selected for Review:

Because of the decentralized nature of our program at USDA, the Mission Areas and Agencies performed their own separate reviews. Using the Executive Order guidance, the Agencies reviewed their FOIA programs in the following areas: decentralized vs. centralized; the use of information technology in responding to requests; practices with respect to expedited processing; implementation of multi-tract processing; reviewing policies relating to availability of public information through websites, and identifying ways to eliminate or reduce backlog.

C. Summary of the Review Process:

The review process, which was undertaken at both the Department-level and at the Mission Area and Agency levels, highlighted for the USDA FOIA community that many of our programs have similar problems, and similar areas for improvement. It enabled us to share ideas for improvement across the community, and in some cases, to join together for potential savings using economies of scale. Because we are such a large Department, with offices in every county of the United States, our FOIA programs differ greatly in scope and size from one Agency to another. Some have field offices, and generally those have similar problems in communication and management across many FOIA offices at many locations. Four of our Agencies are small enough and receive so few FOIA requests on average that their program needed no plan at all.

One of the results of the review process, and the resulting meetings to discuss the development of the improvement plans, was increased appreciation for the sharing of information within the community. This will continue in future meetings of the USDA FOIA Officers.

D. All areas chosen as improvement areas for the Agency plan:

Each Mission Area and Agency chose those improvement areas that would reap the most benefit to their respective programs. A summary table showing each Mission Area and Agency and those areas that they reported would be part of their individual FOIA Improvement Plan is located at Tab One of this report.

At the Department level, the areas that will be included in our FOIA Improvement Plan included all of the suggested improvement areas except:

- Backlog Reduction; Improvement Ideas from Field Office Personnel; (At this time the Departmental FOIA office does not have a backlog of FOIA requests and the field FOIA offices are located in the program Agencies).
- In-house training on safeguard label; (The Departmental FOIA office does not routinely process documents that are classified as "For Official Use Only" or "Sensitive but Unclassified", therefore, there is no need for training in this area).
- Changes to personnel practices; (The Departmental FOIA office currently only has one FOIA employee therefore there is no need to examine the staffing or grade levels of FOIA employees.)
- Contracting out/hiring of contract employees; and (The workload in the Departmental FOIA office does not support hiring of contract employees).
- Centralization/decentralization; (The Departmental FOIA office is decentralized, as are all of the USDA program Agencies. Because the Departmental FOIA office is the policy office, there is no advantage to centralizing the function).

E. Areas for Improvement at the Department Level:

Please see Table 1.

Each of the USDA Mission areas and Agencies have their own tables at the appropriate tabs attached to this report.

F. Scheduled Completion Dates:

Please see Table 2 (for CY 2006) and Table 3 (for CY 2007) showing projected completion dates for the Department and for the Mission Areas/Agencies.

Table 1:
Office of the Secretary (OSEC)
FOIA Plan for E.O. 13392

Improvement Area	**Brief statement of goal(s)/objective(s) (i.e., improvement(s) sought to be made)**	**Time milestones (Dates expected completion)**	**Means of measurement of success**
*1. *Affirmative disclosure under subsection (a)(2).*	USDA FOIA will enhance the USDA FOIA webpage to link to each of the agency FOIA electronic reading rooms. Continue to post documents on the FOIA webpage required under subsection (a)(2).	December 31, 2006	The USDA Website Reading Room will be linked to the agency reading rooms and accessible to the public
*2. *Proactive disclosure of information*	USDA FOIA will establish guidelines for USDA agencies to use in identifying potential areas of information (other than subsection (a)(2)) that could be posted to the FOIA webpage.	June 30, 2007	The guidelines will be developed and provided to all USDA FOIA offices.
*4. *Improvement of agency's FOIA Reference Guide*	USDA FOIA will revise the USDA FOIA reference guide to provide more information about USDA FOIA operations and how to request information under FOIA.	December 31, 2006	The revised version of the USDA FOIA reference guide will be completed and available on the FOIA website.
*5. *Automated tracking capabilities*	OSEC will evaluate the feasibility of obtaining an automated tracking system.	June 30, 2007	Complete review of existing USDA agency tracking systems to determine if any of the current systems will be feasible for use in OSEC.
*6. *Electronic FOIA -- automated processing*	USDA FOIA will look into the feasibility of establishing a USDA-wide centralized, automated FOIA system. The system will include generation of automated letters, automated redaction, etc.	September 30, 2007	The study will be completed and a report given to the Chief FOIA Officer.
*8. *Multi-track processing*	USDA FOIA will revise the USDA FOIA regulations to establish a minimum of 4	December 31, 2007	The regulations will be drafted and finalized.

	tracks to select from when processing requests.		
*9. *Troubleshooting of any existing problems (even minor ones) with existing request tracking*	USDA FOIA will meet quarterly with agency FOIA personnel and determine what improvements are needed with the current tracking procedures.	Continuing	Schedule quarterly meetings with agency FOIA Officers
*11. *Expedited processing*	USDA FOIA will review the USDA regulations and — prepare an informal desk guide with examples to assist agencies in determining when to grant expedited processing.	December 31, 2007	The regulations will be reviewed and the desk guide completed.
*12. *Backlog reduction/elimination*	NA		
*13. *Politeness/courtesy*	OSEC will continue to provide courteous service to each FOIA requestor. When away for a while, make sure the public has a contact while you are away.	Immediate	Complaints to the USDA FOIA Officer and/or the Agency Public Liaison will be minimal.
*14. *Forms of communication with requesters*	OSEC FOIA Officer will make clear to all FOIA requestors in the USDA FOIA Guide that they can make contact through several communication procedures: telephone, facsimile, email, and through the website.	December 31, 2006	Review and update USDA FOIA Website and FOIA Guide.
*27. *Recycling of improvement information gleaned from FOIA Requester Service Centers*	USDA FOIA will meet quarterly with agency FOIA officers and discuss and implement areas of improvement gleaned from the agency FOIA requester service centers.	Continuing	Schedule quarterly meetings with the agency FOIA Officers.
3.Overall FOIA Website Improvement	USDA FOIA will review the USDA FOIA website and make necessary revisions to make the site more user friendly.	December 31, 2006	The website will be reviewed and updated.
7. Electronic FOIA— receiving/responding to requests electronically	USDA FOIA will revise the USDA FOIA website to allow for receiving electronic FOIA submissions.	December 31, 2006	The website will be operational and will include an e-FOIA system.

10. Case-by-case Problem Identification.	USDA FOIA establish an agenda item and set aside time at each regularly scheduled meetings of the USDA FOIA Officers to discuss problem areas and/or problems that arose in the processing of FOIA requests. USDA General Counsel and Privacy Act Officer will be invited to the FOIA Officers meeting for their input and advice.	December 31, 2006	Agenda item will be established for each meeting.
15. Acknowledgement Letters.	OSEC will determine if there is postcard format available in other federal agencies to acknowledge FOIA requests and implement the system within USDA.	June 30, 2007	Process will be complete.
16. System of handling referrals.	USDA FOIA will review agency regulations to determine if procedures of handling referrals need to be revised.	December 31, 2007	USDA FOIA regulations will be revised and published.
17. System of handling consultations.	USDA FOIA will review agency regulations to determine if procedures of handling consultations need to be revised.	December 31, 2007	USDA FOIA regulations will be revised and published.
18. Process by which necessary cooperation is obtained from agency "program personnel."	OSEC FOIA will provide timely reminders to FOIA staffs regarding pending requests, and provide instruction and guidance agency program personnel on FOIA processing and timelines. Determine the feasibility of developing overdue FOIA reports for program managers.	Continuing December 31, 2006	The number of outstanding FOIA requests, and the average processing time, will improve.
20. Additional training needed (formal and/or on-the-job).	USDA FOIA will investigate the feasibility of creating FOIA training modules in the AgLearn on-line training system for all USDA employees. USDA FOIA will encourage agency FOIA officers to take advantage of DOJ and	June 30, 2007 Continuing	Study will be completed and a recommendation made on how to proceed.

	ASAP FOIA training opportunities.		
21. In-house training on "safeguarding label"/FOIA exemption distinctions.	NA		
22. Increased staffing (Where applicable.)	OSEC FOIA will pursue obtaining one additional full time position to assist the FOIA Officer.	September 30, 2007	Additional staff will be working on FOIA requests or managing the tracking system.
23. Changes to personnel practices (job series, grades, etc.) needed.	NA		
24. Contracting out/hiring of contract employees.	NA		
25. Purchase of new equipment needed.	OSEC FOIA will investigate if any modern photocopy machines are currently available within USDA offices/agencies.	December 31, 2006	Create a list of available copier machines and provide to USDA agency FOIA Officers.
26.Centralization/decentralization	NA		
27. Recycling of improvement information gleaned from FOIA requester service centers	USDA FOIA will meet with agency FOIA Officers to share information obtained from agency service centers to identify areas of improvement in FOIA operations.	Continuing	Quarterly meetings with USDA FOIA Officers.
28. Revise USDA FOIA Regulations.	The USDA FOIA Office will revise the USDA FOIA regulations and FOIA fee schedule to include requirements of the EO.	December 31, 2007	Revised regulations are approved and published.

Table 2: Estimated Completion Dates by Improvement Area

(Completion by December 31, 2006)

Improvement Area	USDA Agency	Estimated Completion Date
*1. *Affirmative disclosure under subsection (a)(2).*	Animal & Plant Health Inspection Service Departmental Administration Food & Nutrition Service Forest Service Farm Services Agency Grain Inspection, Packers & Stockyard Admin Natural Resources Conservation Service Office of the Secretary	June, 2006 June, 2006 July 31, 2006 June, 2006 June, 2006 June, 2006 June, 2006 Dec. 31, 2006
*2. *Proactive disclosure of information*	Animal & Plant Health Inspection Service Departmental Administration Food & Nutrition Service Forest Service Farm Services Agency Food Safety & Inspection Service Natural Resources Conservation Service Office of Budget & Program Analysis Risk Management Agency	June, 2006 Dec. 31, 2006 Dec. 31, 2006 Dec. 31, 2006 Dec. 31, 2006 June, 2006 Aug., 2006 June, 2006 Dec. 31, 2006
*4. *Improvement of agency's FOIA Reference Guide*	Animal & Plant Health Inspection Service Assistant Secretary for Civil Rights Departmental Administration Food Safety & Inspection Service Office of the Secretary Research, Education and Economics	Sept., 2006 Dec. 31, 2006 June, 2006 Sept. 30, 2006 Dec. 31, 2006 June, 2006
*5. *Automated tracking capabilities*	Animal & Plant Health Inspection Service Assistant Secretary for Civil Rights Grain Inspection, Packers & Stockyard Admin Natural Resources Conservation Service	June, 2006 Dec. 31, 2006 June, 2006 Oct., 2006
*6. *Electronic FOIA -- automated processing*	Animal & Plant Health Inspection Service Assistant Secretary for Civil Rights Food Safety & Inspection Service	June, 2006 Dec. 31 2006 June, 2006

	Natural Resources Conservation Service	Oct., 2006
*8. *Multi-track processing*	Forest Service Natural Resources Conservation Service	Sept. 30, 2006 Oct., 2006
*9. *Troubleshooting of any existing problems (even minor ones) with existing request tracking*	Animal & Plant Health Inspection Service Forest Service Food Safety & Inspection Service Grain Inspection, Packers & Stockyard Admin Office of Budget & Program Analysis Office of the Secretary	June, 2006 Aug. 31, 2006 June, 2006 Sept. 30, 2006 June, 2006 June, 2006
*11. *Expedited processing*	Forest Service Food Safety & Inspection Service Grain Inspection, Packers & Stockyard Admin Natural Resources Conservation Service	Aug. 31, 2006 June, 2006 June, 2006 Oct., 2006
*12. *Backlog reduction/elimination*	Animal & Plant Health Inspection Service Forest Service Food Safety & Inspection Service Grain Inspection, Packers & Stockyard Admin Natural Resources Conservation Service Office of the Inspector General	June, 2006 June, 2006 June, 2006 June, 2006 Oct. 2006 Dec. 31, 2006
*13. *Politeness/courtesy*	Animal & Plant Health Inspection Service Assistant Secretary for Civil Rights Departmental Administration Food & Nutrition Service Forest Service Farm Services Agency Food Safety & Inspection Service Grain Inspection, Packers & Stockyard Admin Natural Resources Conservation Service Office of Budget & Program Analysis Office of the Secretary Risk Management Agency	July 1, 2006 May, 2006 June, 2006 June, 2006 June, 2003 May, 2006 June, 2006 June, 2006 Aug., 2006 June, 2006 June, 2006 June, 2006
*14. *Forms of communication with requesters*	Animal & Plant Health Inspection Service Assistant Secretary for Civil Rights Departmental Administration Food & Nutrition Service	June, 2006 Dec. 31, 2006 June, 2006 July 31, 2006

	Forest Service Farm Services Agency Food Safety & Inspection Service Grain Inspection, Packers & Stockyard Admin Natural Resources Conservation Service Office of Budget & Program Analysis Office of the Secretary RD Risk Management Agency	Aug. 31, 2006 June, 2006 June, 2006 June, 2006 Aug., 2006 June, 2006 Dec. 31, 2006 Oct. 31, 2006 June, 2006
*27. *Recycling of improvement information gleaned from FOIA Requester Service Centers*	Animal & Plant Health Inspection Service Assistant Secretary for Civil Rights Forest Service Farm Services Agency Food Safety & Inspection Service Grain Inspection, Packers & Stockyard Admin Natural Resources Conservation Service Office of Budget & Program Analysis Office of the Secretary	June, 2006 May, 2006 June, 2006 Sept. 30, 2006 Aug., 2006 Sept. 30, 2006 Oct., 2006 June, 2006 June, 2006
Other Areas to be considered (Not Required)		
3.Overall FOIA Website Improvement	Animal & Plant Health Inspection Service Assistant Secretary for Civil Rights Departmental Administration Forest Service Farm Services Agency Grain Inspection, Packers & Stockyard Admin Office of the Secretary	June, 2006 Dec. 31, 2006 June, 2006 Aug. 31, 2006 June, 2006 Dec. 31, 2006 Dec. 31, 2006
7. Electronic FOIA—receiving/responding to requests electronically	Animal & Plant Health Inspection Service Assistant Secretary for Civil Rights DA Departmental Administration Farm Services Agency Food Safety & Inspection Service Grain Inspection, Packers & Stockyard Admin	Dec., 2006 Dec. 31, 2006 June, 2006 June, 2006 June, 2006 Sept., 2006

	Office of the Secretary Risk Management Agency	Dec. 31, 2006 Sept., 2006
10. Case-by-case Problem Identification.	Departmental Administration Forest Service Office of Budget & Program Analysis Office of the Secretary	June, 2006 June, 2006 June, 2006 Dec. 31, 2006
15. Acknowledgement Letters.	Animal & Plant Health Inspection Service Departmental Administration Farm Services Agency Grain Inspection, Packers & Stockyard Admin Office of Budget & Program Analysis Risk Management Agency	June, 2006 June, 2006 June, 2006 June, 2006 June, 2006 June, 2006
16. System of handling referrals.	Forest Service Office of Budget & Program Analysis	June, 2006 June, 2006
17. System of handling consultations.	Office of Budget & Program Analysis	June, 2006
18. Process by which necessary cooperation is obtained from agency "program personnel."	Animal & Plant Health Inspection Service Departmental Administration Forest Service Farm Services Agency Office of the Secretary	June, 2006 Sept. 30, 2006 June, 2006 June, 2006 Dec. 31, 2006
19. Improvement ideas from field office personnel (where applicable).	N/A	N/A
20. Additional training needed (formal and/or on-the-job).	Departmental Administration Forest Service Farm Services Agency Food Safety & Inspection Service Office of the Secretary Risk Management Agency	Sept. 30, 2006 June, 2006 Sept. 30, 2006 June, 2006 June, 2006 Sept. 30, 2006
21. In-house training on "safeguarding label"/FOIA exemption distinctions.	Assistant Secretary for Civil Rights Forest Service Office of Budget & Program Analysis	Dec. 31, 2006 June, 2006 June, 2006
22. Increased staffing	Assistant Secretary for Civil Rights	Dec. 31, 2006

(where applicable.)	Forest Service	June, 2006
23. Changes to personnel practices (job series, grades, etc.) needed.	N/A	N/A
24. Contracting out/hiring of contract employees.	N/A	N/A
25. Purchase of new equipment needed.	Assistant Secretary for Civil Rights Office of the Secretary Risk Management Agency	Dec. 31, 2006 Dec. 31, 2006 Sept. 30, 2006
26. Centralization/decentralization.	N/A	N/A

Table 3: Estimated Completion Dates by Improvement Area

(Completion by December 31, 2007)

Improvement Area	USDA Agency	Estimated Completion Date
*1. *Affirmative disclosure under subsection (a)(2).*	Office of Budget and Planning Analysis	June 30, 2007
*2. *Proactive disclosure of information*	Grain Inspection, Shipyards and Packers Admin Office of the Secretary	June 30, 2007 June 30, 2007
*4. *Improvement of agency's FOIA Reference Guide*	Food & Nutrition Service Forest Service Farm Services Agency Grain Inspection, Shipyards and Packers Admin NRCS Office of Budget and Planning Analysis	July 31, 2007 March 31, 2007 June 30, 2007 June 30, 2007 Jan., 2007 June 30, 2007
*5. *Automated tracking capabilities*	Departmental Administration Food & Nutrition Service Forest Service Farm Services Agency Food Safety and Inspection Service Office of the Secretary RMA	June 30, 2007 Aug. 31, 2007 June 30, 2007 June 30, 2007 June 30, 2007 June 30, 2007 June 30, 2007
*6. *Electronic FOIA -- automated processing*	Agricultural Marketing Service Departmental Administration Food & Nutrition Service Forest Service Farm Services Agency Grain Inspection, Shipyards and Packers Admin Office of the Secretary	Sept. 30, 2007 Sept. 30, 2007 Oct. 31, 2007 Sept. 30, 2007 Sept. 30, 2007 Dec. 31, 2007 Sept. 30, 2007
*8. *Multi-track processing*	Food & Nutrition Service Farm Services Agency Office of the Secretary	Dec. 31, 2007 Sept. 30, 2007 Dec. 31, 2007
*9. *Troubleshooting of any existing problems (even minor ones) with existing request tracking*	Food & Nutrition Service Farm Services Agency	Dec. 31, 2007 Jan. 31, 2007

*11. *Expedited processing*	Food & Nutrition Service Farm Services Agency Office of the Secretary	June 30, 2007 Jan. 31, 2007 Dec. 31, 2007
*12. *Backlog reduction/elimination*	Departmental Administration Food & Nutrition Service Farm Services Agency Office of Inspector General Rural Development	June 30, 2007 June 30, 2007 June 30, 2007 Dec. 31, 2007 Dec. 31, 2007
*13. *Politeness/courtesy*	Rural Development	Jan. 31, 2007
*14. *Forms of communication with requesters*	N/A	N/A
*27. *Recycling of improvement information gleaned from FOIA Requester Service Centers*	N/A	N/A
Other Areas to be considered (Not Required)		
3.Overall FOIA Website Improvement	Office of Budget and Planning Analysis	June 30, 2007
7. Electronic FOIA—receiving/responding to requests electronically	Office of Budget and Planning Analysis	June 30, 2007
10. Case-by-case Problem Identification.	N/A	N/A
15. Acknowledgement Letters.	Office of the Secretary Rural Development	June 30, 2007 Dec. 31, 2007
16. System of handling referrals.	Office of the Secretary Rural Development	Dec. 31, 2007 Dec. 31, 2007
17. System of handling consultations.	Office of the Secretary	Dec. 31, 2007
18. Process by which necessary cooperation is obtained from agency "program personnel."	N/A	N/A
19. Improvement ideas from field office personnel (where applicable).	N/A	N/A
20. Additional training needed (formal and/or on-the-job).	Departmental Administration Forest Service Office of Budget and Planning Analysis Office of the Secretary	June 30, 2007 Jan. 31, 2007 June 30, 2007 June 30, 2007
21. In-house training on "safeguarding label"/FOIA exemption distinctions.	Rural Development	March 31, 2007
22. Increased staffing	Departmental Administration	Sept. 30, 2007

(where applicable.)	Office of the Secretary	Sept. 30, 2007
23. Changes to personnel practices (job series, grades, etc.) needed.	N/A	N/A
24. Contracting out/hiring of contract employees.	N/A	N/A
25. Purchase of new equipment needed.	N/A	N/A
26. Centralization/decentralization.	N/A	N/A
28.	Office of the Secretary	Dec. 31, 2007

Summary Table of USDA Agencies FOIA Reports – June 14, 2006

Improvement Area Item Number (* must address)	Agencies																					Comments
	AMS	APHIS	ASCR	DA	FAS	FNS	FS	FSA	FSIS	GIPSA	NAD	NRCS	OBPA	OCFO	OCIO	OGC	OIG	OSEC	RD	REE	RMA	
*1. Affirmative disclosure under subsection (a)(2)		•		•		•	•	•	•	•		•	•					•				**Most USDA agencies already have a reading room and/or a meeting room on which they post frequently requested documents, handbooks, manuals, final decisions, orders press releases. Other agencies are planning to develop similar areas on their webpages.**
*2. Proactive disclosure of information		•		•		•	•	•	•	•		•						•			•	**Many agencies plan to develop lists of information that are likely to be requested under the FOIA (employee lists, registration lists, information related to business lines, etc.**
*4. Improvement of agency's FOIA Resource Guide		•	•	•		•	•	•	•	•		•	•					•		•		**Several agencies already have agency-level FOIA reference guides. Other agencies are planning to develop one. In either case, the agencies are planning to publish their FOIA guides on their websites, and to update it to reflect implementation of EO 13392. At the Department level, the Departmental Regulation on FOIA will be updated.**
*5. Automated tracking capabilities		•	•	•		•	•	•	•	•		•			•			•			•	**Several agencies already have automated tracking systems. Other agencies are looking into developing or purchasing agency-level automated tracking systems. They will allow access at different levels, including access by the public to select information.**
*6. Electronic FOIA-automated processing	•		•	•		•	•	•	•	•		•						•				**Several USDA agencies use automated redaction programs, such as Redax. USDA will look into the feasibility of a USDA-wide centralized, automated FOIA system to include generation of automated letters, automated redaction, etc. Several decentralized agencies will make templates available to its field locations to help standardize.**
*8 Multi-track processing		•				•	•	•		•		•						•				**A few agencies currently use multi-track and will continue to refine its use. Other agencies will look into the feasibility of using it in their programs, and will adopt the USDA procedures, per the USDA FOIA Directive.**
*9. Troubleshooting of any existing problems (even minor ones) with existing request tracking						•	•	•	•	•								•				**Some agencies have, or will, use postcards to keep requestors informed of the status of their request. Determine and codify when to determine "denial-in-full" is warranted and proper when reading documents for redactions or exemeptions. USDA agency FOIA Officers will meet periodically to discuss problems and share ideas for problem resolution.**
*11. Expedited processing						•	•	•	•	•		•						•				**USDA will develop a desk guide which will detail procedures t be followed for expedited processing. Decentralized agencies will ensure that expedited procedures are standard throughout their field offices.**
*12. Backlog Reduction/ elimination		•		•		•	•	•	•	•		•					•		•			**Because many agencies are decentralized, they plan to request a single point of contact or coordinator in each of the program areas with whom they work. Timely reminders will be sent to the coordinators. Improved negotiation with requestors of voluminous data to attempt to make the request realistic.**
*13. Politeness/ courtesy		•	•	•		•	•	•	•	•		•	•					•	•			**Ensure that the requestors know the status of their request, and ensure that the requestors are informed of "replacement" points of contact when the FOIA Officer is unavailable.**
*14. Forms of communication		•	•	•		•	•	•	•	•		•	•					•	•		•	**Ensure that the requestors have several forms of communication available between himself and the FOIA Officer. Review all letters and forms of communication to ensure they contain pertinent information to each request.**
*27. Recycling																						**USDA will increase the number of FOIA Officer meetings and will provide time to**

of improvement information gleaned from FOIA requester Service Centers		●	●				●	●	●	●		●	●									**discuss and implement areas for improvement, especially as highlighted in Service Center calls. Several agency websites will contain feedback mechanisms.**
Other Areas to be considered (not required)	**AMS**	**APHIS**	**ASCR**	**DA**	**FAS**	**FNS**	**FS**	**FSA**	**FSIS**	**GIPSA**	**NAD**	**NRCS**	**OBPA**	**OCFO**	**OCIO**	**OGC**	**OIG**	**OSEC**	**RD**	**REE**	**RMA**	**Comments**
3. Overall FOIA Website improvement			●	●			●	●		●			●					●				**Several USDA agencies, and USDA, has a FOIA website. Several other agencies have new websites under development. All will be reviewed carefully to ensure friendly interface and accuracy of information.**
7. Electronic FOIA-receiving/responding to requests electronically		●	●	●									●					●			●	**Several agency websites already allow for electronic submission of FOIA requests. Several others are currently being developed, and will contain mechanisms for electronic FOIA submission. Many requestors request, or inform the FOIA Officer that electronic response is satisfactory or even preferred. Electronic filing of FOIA requests and all communication related to the request will be studied.**
10. Case-by-case problem identification				●			●						●					●				**Several decentralized agencies have periodic FOIA meetings or conference calls. There will be time set aside to discuss problems and proposed solutions. USDA also has periodic meetings of the agency FOIA Officers, and will do the same at their meetings.**
15. Acknowledge-ment letters		●		●				●		●			●					●	●		●	**Acknowledgement letters are basically part of the standardized process, but will be studied to see if improvements can be made. Templates will be developed and distributed to field offices, as applicable.**
16. System for handling referrals																		●	●			**USDA will review USDA FOIA Regulations to determine if procedures for handling referrals need to be revised. Several agencies will improve communication to the requestors concerning referred documents.**
17. System of handling consultations																		●				**USDA will review USDA FOIA Regulations to determine if procedures for handling consultations need to be revised.**
18. Process by which cooperation is obtained from agency :program personnel"		●		●			●	●										●				**Several agencies will improve the methods and timeliness of communication with program managers, to emphasize the need to complete FOIA requests in a timely manner.**
19. Improvement ideas from field office personnel																						**None**
20. Additional training needed (formal/on-the-job)				●	●	●					●							●	●		●	**USDA will look into the feasibility of developing and including FOIA training modules in the Department-wide online training system, AgLearn. Several agencies will continue to include and expand training of their FOIA organization. Many FOIA Officers will include annual FOIA training in their Indivisual Training Plans (IDP's).**
21. In-house training on "safeguarding label"/FOIA exemption distinctions			●			●																**Several agencies will include information about the labels in their FOIA training.**

22. increased staffing			●	●														●				**Several agencies, including the USDA FOIA Officer, will request additional positions to assist with FOIA processing.**
23. Changes to personnel practices (job series, grades, etc) needed																						**None**
24. Contracting out/hiring of contract employees																						**None**
25. Purchase of new equipment need			●																		●	**Two agencies identified the need for good scanning equipoment to help with large files.**
26. Centralization/ decentralization																		●				**None**
28. Revised USDA FOIA Regulations																						**USDA will revise the FOIA Departmental Regulation to include EO 13392 mandated changes.**

USDA Agency FOIA Improvement Plans

Because of the decentralized FOIA organization in USDA, the following USDA agencies submitted their own FOIA Improvement plans:

Summary Table of USDA agencies sorted by Improvement Item

Agricultural Marketing Service

Animal and Plant Health Inspection Service

Assistant Secretary for Civil Rights

Departmental Administration

Farm Services Agency

Food & Nutrition Service

Food Safety & Inspection Service

Foreign Agricultural Service

Forest Service

Grain Inspection, Shippers & Packers Administration

National Appeals Division

Natural Resources Conservation Service

Office of Budget & Program Analysis

Office of the Chief Financial Officer

Office of the Chief Information Officer

Office of General Counsel

Office of the Inspector General

Office of the Secretary

Research, Education & Economics

Risk Management Agency

Rural Development

Agency Planning Document
Agricultural Marketing Service (AMS)

Improvement Area	**Brief statement of goal(s)/objective(s) (i.e., improvement(s) sought to be made)**	**Time milestones (Dates expected completion)**	**Means of measurement of success**
*1. *Affirmative disclosure under subsection (a)(2).*	AMS posts commonly requested FOIA information and Public Information on the AMS website under each program area.	n/a	n/a
*2. *Proactive disclosure of information*	AMS posts commonly requested FOIA information and Public Information on the AMS website under each program area.	n/a	n/a
*4. *Improvement of agency's FOIA Reference Guide*	AMS has a website that assists the public in requesting FOIA requests. The website includes the FOIA process and the FOIA officer's name and contact number.	n/a	n/a
*5. *Automated tracking capabilities*	Currently all FOIA/PA/Appeals are entered into a database (Microsoft Access)	n/a	n/a
*6. *Electronic FOIA -- automated processing*	USDA will look into the feasibility of establishing a USDA-wide centralized, automated FOIA system. The system will include generation of automated letters, automated redaction, etc.	September 30, 2007	The study will be completed and a report given to the Chief FOIA Officer.
*8. *Multi-track processing*	***Small Agency*** AMS does not have a multi-tracking system. ALL requests are handled efficiently	n/a	n/a
*9. *Troubleshooting of any existing problems (even*	***Small Agency*** AMS does not have a multi-tracking system.	n/a	n/a

minor ones) with existing request tracking	ALL requests are handled efficiently		
*11. *Expedited processing*	***Small Agency*** AMS does not have a multi-tracking system. ALL requests are handled efficiently	n/a	n/a
*12. *Backlog reduction/elimination*	The AMS FOIA Officer has been working with the liaisons in the program area to include better notes to the General law Office when submitting final FOIA requests/appeals for their action. AMS currently reviews the log book/database weekly for all outstanding FOIA's and contacts the FOIA liaisons in each individual program area.	n/a	n/a
*13. *Politeness/courtesy*	AMS will continue to provide courteous service to each FOIA requestor. A voice mail message is left notifying the public that the FOIA officer is away and the contact person.	n/a	n/a
*14. *Forms of communication with requesters*	The AMS FOIA officer currently informs all FOIA requestors that they can contact her through several communication procedures: acknowledgement letters, telephone, facsimile, email, and through the website.	n/a	n/a
*27. *Recycling of improvement information gleaned from FOIA Requester Service Centers*	USDA – Possibly a survey to some FOIA requestors	n/a	n/a

Agency Planning Document
Freedom of Information and Privacy Act Staff
Animal and Plant Health Inspection Service

4700 River Road, Unit 50
Riverdale, MD 20737
(301) 734-8296

Submitted by:
Lesia M. Banks
Director

Improvement Area	Brief statement of goal(s)/objective(s) (i.e., improvement(s) sought to be made)	Time milestones (Dates expected completion)	Means of measurement of success
*1. *Affirmative disclosure under subsection (a)(2).*	APHIS FOIA continues to determine and appropriate make available frequently requested records. It is our goal to be proactive vs. reactive in making such documents available. For example, we	Review immediately upon receipt. Also, initiate the EO 12600 process when necessary in a timely fashion.	Decrease in number of incoming requests for such information. Also, we are able to direct requesters to the Web upon receipt of incoming requests for such information, which lessens our response

	have a pending lawsuit as a result of not making Animal Care Annual Reports available in a timely fashion. Currently, we have already reviewed and posted the vast majority of the 2005 (CY) reports.		time, significantly.
*2. *Proactive disclosure of information*	See Animal Care Annual Report example above.	Same as above.	Same as above.
3. Overall FOIA Web site improvement.	Our goal is to make certain that the FOIA web site can be navigated easily and is user friendly.	Continued improvements as necessary.	Decrease in number of incoming requests, as certain requests that we currently receive are for information already on the Web. However, some requesters are unaware that such information is on the Web.
*4. *Improvement of agency's FOIA Reference Guide*	Currently available on the Web. However, APHIS FOIA will review to make certain that the Guide remains accurate and up-to-date.	Within 90 days.	Decreased number of incoming calls seeking how to submit a FOIA request.
*5. *Automated tracking capabilities*	Goal is to purchase and implement the use of an automated tracking system.	ASAP. We are currently working through the purchasing process.	Greater customer satisfaction in that we will be able to provide requesters with a status of their request, promptly.
*6. *Electronic FOIA -- automated processing*	Objective is to continue to use Redax, for electronic case processing to include redacting documents.	Already in place. Licenses are current.	Electronic redacting allows for quicker processing, specifically, when there is a need to un-redact or redact additional information.

7. *Electronic FOIA*	Objective is to continue receiving requests electronic and consider the possibility of responding electronically.	Within 6 months.	A more satisfied requester in that no delay will occur as is possible when responding in paper format.
*8. *Multi-track processing*	Objective is to continue to use multi-track processing: simple, complex, and expedited.		
*9. *Troubleshooting of any existing problems (even minor ones) with existing request tracking*	Goal is to purchase and implement the use of an automated tracking system.	ASAP. We are currently working through the purchasing process.	Greater customer satisfaction in that we will be able to provide requesters with a status of their request, promptly.
*11. *Expedited processing*	Objective is to remain in compliance with the law and continue to grant expedited processing when warranted.		
*12. *Backlog reduction/elimination*	Objective is to employ detailees from periods of 60 – 120 days to assist in case processing and, thus, backlog reduction.	Currently soliciting for and accepting detailees.	Backlog reduction.
*13. *Politeness/courtesy*	Objective is to make certain that all employees are aware of the need to be polite and courteous and to exemplify good customer service.	Constant and will also be addressed in the new employee standards, effective July 1, 2006.	Fewer to no complaints from requesters.
*14. *Forms of communication with requesters*	Objective is to continue to communicate on a more personal level and not use “form” letters and/or postcards to communicate with requesters.	Currently frame each response (in the initial paragraphs) to accurately respond to requester.	

15. *Acknowledgement letters*	Objective is to continue to communicate on a more personal level and not use "form" letters and/or postcards to communicate with requesters.	Currently frame each response (in the initial paragraphs) to accurately respond to requester.	
18. *Process by which necessary cooperation is obtained from agency* "program personnel."	Objective is to communicate with senior-level staff regarding the importance of responding to request made pursuant to the FOIA. Through communications it is our goal to encourage all components to make FOIA a priority and respond as appropriately with the necessary responds records.	Completed within the last 15 days. However, reminders will be made as necessary.	Increased turn around time results in decreased overall processing time.
*27. *Recycling of improvement information gleaned from FOIA Requester Service Centers*	Objective is to provide for a customer feedback provision, carefully review the comments, and address as appropriate.	Continuous.	Fewer complaints received from the requester community.

Office of the Assistant Secretary for Civil Rights (ASCR)

FOIA Improvement Plan

Improvement Area	Brief statement of goal(s)/objective(s) (i.e., improvement(s) sought to be made)	Time milestones (Dates expected completion)	Means of measurement of success
*1. *Affirmative disclosure under subsection (a)(2).*	**Not Applicable**		
*2. *Proactive disclosure of information*	**Not Applicable**		
*4. *Improvement of agency's FOIA Reference Guide*	ASCR will review their FOIA reference guide and make necessary changes.	December 31, 2006	The ASCR FOIA Reference Guide will be posted on our website.
*5. *Automated tracking capabilities*	ASCR will research ways to enhance its existing automated tracking system or the possibilities of procuring an updated system.	December 31, 2006	The research will be completed and provided to the Office of Civil Rights FOIA Officer.
*6. *Electronic FOIA -- automated processing*	ASCR will research the available electronic redaction tools to be procured.	December 31, 2006	The research will be completed and provided to the Office of Civil Rights FOIA Officer.
*8. *Multi-track processing*	**Not Applicable**		
*9. *Troubleshooting of any existing problems (even minor ones) with existing request tracking*	**Not Applicable**		
*11. *Expedited processing*	**Not Applicable**		

*12. *Backlog reduction/elimination*	**Not Applicable**		
*13. *Politeness/courtesy*	ASCR will ensure that the contact information for the Public Liaison and the FOIA Service Center is publicized on the website. When the FOIA Specialist is out of the office, we will provide another contact person or have a detailed message for the public.	May 31, 2006	Complaints to the USDA FOIA Officer and/or the Agency Public Liaison are not anticipated.
*14. *Forms of communication with requesters*	ASCR will review correspondence and form letters ensure they provide the requester with the pertinent information regarding their requests, as well as provide all contact information. ASCR will research the feasibility of posting the pending FOIA status online to be accessible to requesters so they can check the status of their request.	December 31, 2006 December 31, 2006	Correspondence and form letter review completed and necessary changes made. List of Pending FOIA Requests will be available online if feasible.
*27. *Recycling of improvement information gleaned from FOIA Requester Service Centers*	ASCR will maintain a log of calls received by the FOIA Service Center and Public Liaison to track feedback and complaints from the public and implement necessary changes.	May 31, 2006	Log will be developed and operational.
Other Areas to be considered (Not Required)			
3.Overall FOIA Website Improvement	ASCR will review their web content and make changes as necessary.	December 31, 2006	Make any changes necessary to the web content.
7. Electronic FOIA—receiving/responding to requests electronically	ASCR will look into the feasibility of having an online submission form for requesters to use to submit FOIA requests and questions.	December 31, 2006	The online submission form for requests will be available online.

10. Case-by-case Problem Identification.	**Not Applicable**		
15. Acknowledgement Letters.	**Not Applicable**		
16. System of handling referrals.	**Not Applicable**		
17. System of handling consultations.	**Not Applicable**		
18. Process by which necessary cooperation is obtained from agency "program personnel."	**Not Applicable**		
19. Improvement ideas from field office personnel (where applicable).	**Not Applicable**		
20. Additional training needed (formal and/or on-the-job).	**Not Applicable**		
21. In-house training on "safeguarding label"/FOIA exemption distinctions.	Safeguarding labels are necessary in ASCR, will inform staff that they are not used when making withholding determinations pursuant to FOIA.	December 31, 2006	Staff informed regarding safeguarding labels.
22. Increased staffing (where applicable.)	ASCR will provide assistance to FOIA specialist for clerical duties and redaction assistance when available.	December 31, 2006	Assistance will be provided when available.
23. Changes to personnel practices (job series, grades, etc.) needed.	**Not Applicable**		
24. Contracting out/hiring of contract employees.	**Not Applicable**		
25. Purchase of new equipment needed.	ASCR will look into the feasibility of acquiring a scanner or color copier to assist FOIA Specialist in the redaction process.	December 31, 2006	The research will be completed and provided to the Office of Civil Rights FOIA Officer.
26. Centralization/ Decentralization.	**Not Applicable**		

Departmental Administration
Agency Planning Document

Improvement Area	**Brief statement of goal(s)/objective(s) (i.e., improvement(s) sought to be made)**	**Time milestones (Dates expected completion)**	**Means of measurement of success**
*1. *Affirmative disclosure under subsection (a)(2).*	DA will establish a Reading Room on our website that provides commonly requested FOIA information	June 30, 2006	The Website Reading Room will be accessible to the public
*2. *Proactive disclosure of information*	DA will establish a list of potential areas that might be requested under the FOIA (employee lists, credit card purchase lists, etc)	December 31, 2006	This lists will be developed and appear in the DA Reading Room
*4. *Improvement of agency's FOIA Reference Guide*	DA will develop a DA FOIA Instruction/Manual to implement the USDA DR,	June 30, 2007	The DA Instruction will be signed.
*5. *Automated tracking capabilities*	DA will enhance its existing automated tracking system; parts will be accessible to DA Staff Office personnel; parts will be accessible to the public	June 30, 2007	The tracking system will be fully operational.
*6. *Electronic FOIA -- automated processing*	USDA will look into the feasibility of establishing a USDA-wide centralized,	September 30, 2007	The study will be completed and a report given to the Chief FOIA

	automated FOIA system. The system will include generation of automated letters, automated redaction, etc.		Officer.
*8. *Multi-track processing*			
*9. *Troubleshooting of any existing problems (even minor ones) with existing request tracking*			
*11. *Expedited processing*			
*12. *Backlog reduction/elimination*	The DA FOIA Officer will request a single point of contact in each DA Staff Office with whom he/she can more directly track the status of each FOIA request. The DA FOIA Officer will provide instruction/guidance/education to the DA Staff Office Directors on FOIA processing. The DA FOIA Officer will use several means to provide a tickler system to remind Staff Office points of contact of pending deadlines.	June 30, 2007	The new procedure will be in place and will be codified in the DA Instruction/Manual on FOIA.
*13. *Politeness/courtesy*	DA will continue to provide courteous service to each FOIA requestor.	Immediate	Complaints to the USDA FOIA Officer and/or the Agency Public Liaison will be minimal.
*14. *Forms of communication with requesters*	The DA FOIA Officer will make clear to all FOIA	June 30, 2006	Website will be complete.

	requestors that they can contact him through several communication procedures: telephone, facsimile, email, and through the website.		
*27. *Recycling of improvement information gleaned from FOIA Requester Service Centers*			
Other Areas to be considered (Not Required)			
3.Overall FOIA Website Improvement	DA is developing a new FOIA website, which will include FOIA submission, Reading Rooms, and contact information.	June 30, 2006	The website will be operational.
7. Electronic FOIA—receiving/responding to requests electronically	e-FOIA submission will be a part of the new DA website. At initial contact, using email as a means of communication will be established.	June 30, 2006	The website will be operational and will include an e-FOIA system.
10. Case-by-case Problem Identification.	There will be an agenda item and time set aside at each regularly scheduled meetings of the USDA FOIA Officers to discuss problem areas and/or problems that arose in the processing of FOIA requests. USDA General Counsel and Privacy Act Officer will be invited to the	June 30, 2006	Agenda item will be established for each meeting.

	FOIA Officers meeting for their input and advice.		
15. Acknowledgement Letters.	DA will increase communication with the requestors, using follow-up letters, emails or telephone calls, to keep the requestor better informed.	June 30, 2006	Complaints from requestors will be reduced.
16. System of handling referrals.			
17. System of handling consultations.			
18. Process by which necessary cooperation is obtained from agency "program personnel."	The DA FOIA Officer will provide instruction/guidance/education to the DA Staff Office Directors and Staff Office FOIA POC's on FOIA processing.	September 30, 2006	The number of outstanding FOIA requests, and the average processing time, will improve.
19. Improvement ideas from field office personnel (where applicable).			
20. Additional training needed (formal and/or on-the-job).	USDA will look at the feasibility of putting FOIA training modules in the AgLearn on-line training system. DA FOIA Officer will include additional DOJ and Private Sector FOIA training in his	June 30, 2007 September 30, 2006	AgLearn system will show the number of successfully completed courses Completion certificates will be in the OPF.

	annual IDP. The DA FOIA Officer will provide instruction/guidance/education to the DA Staff Office Directors and Staff Office FOIA POC's on FOIA processing.		
21. In-house training on "safeguarding label"/FOIA exemption distinctions.			
22. Increased staffing (where applicable.)	DA FOIA Officer will train additional personnel to understand FOIA processing, and enlist their support when possible.	September 30, 2007	Additional staff will be working on FOIA requests or managing the tracking system.
23. Changes to personnel practices (job series, grades, etc.) needed.			
24. Contracting out/hiring of contract employees.			
25. Purchase of new equipment needed.			
26. Centralization/decentralization.			

Farm Service Agency (FSA) FOIA Office and Operations Planning Document

Submitted 05.25.06 by Norma Ferguson, FSA FOIA Paralegal Specialist

EXECUTIVE ORDER 13392 CHANGE AREAS		AREA GOALS	DELIVERY DATES	SUCCESS MEASUREMENT
THE HIGHLIGHTED AREAS OF THE EO 13392				
1.	***Affirmative disclosure under subsection (a)(2).***	Establish an online FOIA reading room on the FSA website that provides commonly requested FOIA information to visitors.	6/30/2006	FOIA online reading room up and information is posted according to a schedule.
2.	***Proactive disclosure of information***	Establish a list of subject areas that are likely to be requested under the FOIA (employee lists, credit card purchase lists, etc). Know where the associated documents are. Establish a schedule to ensure the timely addition of information.	12/31/2006	Lists and links to documents and decisions will be posted in the FSA FOIA online reading room.
4.	***Improvement of agency's FOIA Reference Guide***	Revise the FSA instruction manual.	6/30/2007	FSA Instruction Manual will be signed, disseminated to headquarters, state, and county staff, and accompany a tutorial.
5.	***Automated tracking capabilities***	Refine the existing offline tracking system as much as possible. Define requirements for an automated, online, legacy FSA-wide FOIA tracking system.	6/30/2007	Refinements to the present system made. Requirements established for a FSA-wide legacy FOIA system will be presented to FSA executives, directors, and managers.
6.	***Automated processing capabilities (electronic FOIA requests, etc.)***	Research the feasibility of establishing an FSA-wide centralized, automated legacy FOIA system. Some requirements include: a scalable database, automated processing system, automated tracking mechanism, automated reporting mechanism, hourly or daily off-site backup of records, automated letter generation, document redaction, etc.	9/30/2007	Completed feasibility study and report given to the Chief FOIA Officer.
8.	***Multi-track offline processing***	Define and establish a multi-track request system. Write a notice alerting the state and county offices of the change.	9/30/2007	System will be in use. Paragraphs for acknowledgement letters will be in use explaining options.

Farm Service Agency (FSA) FOIA Office and Operations Planning Document

Submitted 05.25.06 by Norma Ferguson, FSA FOIA Paralegal Specialist

EO 13392 CHANGE AREAS		AREA GOALS	DELIVERY DATES	SUCCESS MEASUREMENT
9.	***Troubleshoot problems with existing request tracking***	Establish a process to determine when "denials-in-full" are warranted and proper when reading documents for redaction or exceptions.	1/31/2007	Document processing will be better understood by FSA FOIA specialists. Appeals will decrease. The public interest will be better served.
11.	***Expedite request processing***	Write an informal desk guide. See number 12.	1/31/2007	N/A
12.	***Reduce/eliminate backlog***	1.) Establish a single point of contact at each program office/branch/section responsible for tracking the status of each FOIA request within that office/branch/section. 2.) Establish a weekly update system with the program office/branch/section representative. 3.) Educate each program office/branch/section representative about the nature and constraints of FOIA processing.	6/30/2007	The new procedure will be in place and will be codified in the FSA FOIA Instruction Manual.
13.	***Gauge staff professionalism when responding to FOIA requestors inquiries***	FSA FOIA exhibits and maintains a professional demeanor with requestors. Established customer relations etiquette will continue to be observed.	5/31/2006	Complaints will be minimal.
14.	***Share contact methods with public.***	Post different contact methods for requestors to access FOIA staff on the FSA web site.	6/30/2006	Contact information will be completed and posted on the FSA web site.
27.	***Incorporate suggestions for improving FOIA process from field offices/service centers***	Communicate FSA FOIA HQ's interest in listening to comments/concerns/ideas from field FSA FOIA personnel. Incorporate vetted new FSA FOIA policy based upon suggestions and comments where applicable.	9/30/2006	Consistent discussion between FSA FOIA HQ and field offices on FOIA process. Better serving the public through internal reviews and attention paid to FOIA issues.

Farm Service Agency (FSA) FOIA Office and Operations Planning Document

Submitted 05.25.06 by Norma Ferguson, FSA FOIA Paralegal Specialist

EO 13392 CHANGE AREAS		AREA GOALS	DELIVERY DATES	SUCCESS MEASUREMENT
OTHER AREAS TO BE CONSIDERED (NOT REQUIRED)				
3.	**Improve agency FOIA presence online**	Develop a new FOIA area of the web site incorporating electronic FOIA request submission (already there), reading rooms, contact information, and more	6/30/2006	FOIA content will be rich and clear in its description of process and procedure to better guide the public through the FOIA process and law.
7.	**Automated processing capabilities (electronic FOIA requests, etc.)**	Automating FOIA requests is already in place on the FSA web site. See numbers 5,6,8, and 9 above.	6/30/2006	N/A
15.	**Improve acknowledgement process**	Codify acknowledgement process to make it consistent across county, state, and HQ. Establish phases of communication – where hard copies have to be used vs. use of electronic communication forms and phone calls.	6/30/2006	Consistency across all FSA offices will be established. Complaints from requestors will be reduced.
18.	**Obtain and ensure cooperation with the FOIA process from program personnel.**	Provide instruction/guidance/education to the FSA Staff Office Directors and staff office FOIA specialists on FOIA processing. Discuss and review adding handling/facilitating FOIA requests to program office/branch/section representative performance evaluations. See number 12 above.	9/30/2006	Marked decline of complaints and appeals based on outstanding FOIA requests and an incorrect understanding of FOIA. The average processing time will improve across the country in FSA service centers, state offices, and HQ.
20.	**Increase training where needed within the FSA..**	Conduct conference call training where necessary for basic FOIA concepts and processes and when new landmark decisions received from the courts and/or USDA Office of General Counsel. See numbers 4,5,8,9,11,12,15, 18, and 27 above.	9/30/2006	Better educated FOIA specialists. Consistent education yields consistent request processing and customer response.

FOIA Review
Agency Planning Document
Food and Nutrition Service (FNS)

Improvement Area	**Brief statement of goal(s)/objective(s) (i.e., improvement(s) sought to be made)**	**Time milestones (Dates expected completion)**	**Means of measurement of success**
*1. *Affirmative disclosure under subsection (a)(2).*	FNS will update the existing Reading Room on our website	July 31, 2006	The Website Reading Room will be accessible to the public
*2. *Proactive disclosure of information*	FNS will incorporate documentation requested under FOIA that would be of interest of the public (employee directory, credit card purchase lists, etc)	December 31, 2006	This lists will be developed and appear in the FNS Reading Room
*4. *Improvement of agency's FOIA Reference Guide*	FNS will develop a FNS FOIA Instruction	July 31, 2007	The FNS Instruction will be signed.
*5. *Automated tracking capabilities*	FNS will update its existing automated tracking system; parts will be accessible to FNS Staff Office personnel; parts will be accessible to the public	August 31, 2007	The tracking system will be fully operational.
*6. *Electronic FOIA -- automated processing*	FNS' FOIA functions are de-centralized. Will produce templates of responses and acknowledgment letters for the Agency to use.	October 31, 2007	Templates will be shared with FNS Program and Regional FOIA Coordinators.
*8. *Multi-track processing*	FNS processes a small amount of FOIAs per year and only uses one tracking system. FNS will enhance the tracking system to	December 31, 2007	FNS Tracking system will be operational.

	adhere to the Annual Report.		
*9. *Troubleshooting of any existing problems (even minor ones) with existing request tracking*	FNS will produce a tracking system that allows all FNS FOIA Coordinators to have access in order to keep FOIA progress information current.	December 31, 2007	Tracking system will be operational.
*11. *Expedited processing*	FNS FOIA Officer will work with FNS Program offices to ensure expedited processing when requested.	June 30, 2007	Completion of FOIA requests.
*12. *Backlog reduction/elimination*	The FNS FOIA Officer has a FOIA Coordinator assigned to each Program Office and Regional Office throughout FNS. The FNS FOIA Officer will make weekly contact via email with the respective Program Office or Regional Office in order to assure FOIA requests are being processed in a timely manner.	June 30, 2007	The new procedure will be in place and will be codified in the FNS Instruction/Manual on FOIA.
*13. *Politeness/courtesy*	FNS will continue to provide courteous service to each FOIA requestor and will continue to provide alternate assistance during absences.	Immediate	FNS has had no complaints on this issue.
*14. *Forms of communication with requesters*	The FNS FOIA Officer will make clear to all FOIA requestors that they can contact him through several communication procedures: telephone, facsimile, email, and through the website.	July 31, 2006	Website will be complete.
*27. *Recycling of improvement information gleaned from FOIA Requester Service Centers*	FOIA Improvements		

Food Safety and Inspection Service (FSIS)
Executive Correspondence and Issues Management Staff (ECIMS)
Agency Planning Document

Improvement Area	**Brief statement of goal(s)/objective(s) (i.e., improvement(s) sought to be made)**	**Time milestones (Dates expected completion)**	**Means of measurement of success**
*1. *Affirmative disclosure under subsection (a)(2).*	FSIS will post on Web site commonly requested FOIA information.	To be determined	Monitor any reduction in duplicate requests.
*2. *Proactive disclosure of information*	FSIS will ensure Agency policy statements and final agency opinions on current issues are posted timely to Web site. FSIS will continue to offer and update the Meat and Poultry Directory on Web site.	Immediate	Will request that Web Services Staff track FOIA website activities and provide reports on the FOIA Web page activities to monitor areas of highest interest.
*4. *Improvement of agency's FOIA Reference Guide*	FSIS presently maintains FOIA reference guides on Web site. FSIS will include on its Web site the revised FSIS FOIA Directive outlining the role and responsibility of the ECIMS Director/Public Liaison Officer, Deputy Director, and FOIA staff; information on fee schedule and appeal rights; and contact information (telephone/fax numbers, and Email address).	September 30, 2006	Will request that Web Services Staff track FOIA website activities and provide reports on the FOIA Web page activities to monitor areas of highest interest.
*5. *Automated tracking capabilities*	FSIS will enhance its existing automated system to produce various staff reports to improve case tracking and to assist with the Agency's submission of the Annual FOIA Report.	June 30, 2007	Completion of enhancements to the E-FOIA database combined with the ability to automatically generate meaningful reports in compliance with Agency FOIA program requirements.
*6. *Electronic FOIA -- automated processing*	FSIS currently has an electronic processing system.	Immediate	Continue to gauge the effectiveness of the existing system through periodic audits.

Food Safety and Inspection Service (FSIS)
Executive Correspondence and Issues Management Staff (ECIMS)
Agency Planning Document

Improvement Area	**Brief statement of goal(s)/objective(s) (i.e., improvement(s) sought to be made)**	**Time milestones (Dates expected completion)**	**Means of measurement of success**
7. *Electronic FOIA – receiving /responding to requests electronically.*	FSIS has improved services by ensuring FOIA requesters can electronically submit requests.	Immediate	Access to FOIA email account has been provided to each FOIA staff member, ECIMS Director/Public Liaison Officer, and Deputy Director for retrieval and monitoring.
*8. *Multi-track processing*	Not applicable. Volume of cases does not warrant a multiple tracking system.	None	None.
*9. *Troubleshooting of any existing problems (even minor ones) with existing request tracking*	FSIS maintains management controls to ensure that the FOIA Service Center is utilizing all available technologies to process FOIA requests, reduce backlog, and troubleshoot any problems occurring in the FOIA system.	Immediate	Management controls performance measures that task managers and FOIA specialists with the responsibility to pursue, monitor, and report on FOIA requests through every phase of the FSIS FOIA process
*11. *Expedited processing*	FSIS will improve time-line when determining whether we can pursue expedited processing for FOIA requests.	Immediate	Provide follow up to FSIS field offices to ensure estimate of time for search and duplication is timely received in order to respond to requester within 10 days of receipt of FOIA request.
12. *Backlog reduction/elimination*	FSIS will negotiate with requester on voluminous requests and provide additional information to assist requester with narrowing scope; create Excel or Access database to track progress of backlogged cases; and provide “still interested” letters to the requester.	Immediate	FSIS will process cases on Thursday and Friday of each week. Program offices will be notified of FOIA office efforts to reduce/eliminate backlog and seek program directors assistance with providing additional FOIA contacts to assist with document search/retrieval.

Food Safety and Inspection Service (FSIS)
Executive Correspondence and Issues Management Staff (ECIMS)
Agency Planning Document

Improvement Area	**Brief statement of goal(s)/objective(s) (i.e., improvement(s) sought to be made)**	**Time milestones (Dates expected completion)**	**Means of measurement of success**
*13. *Politeness/courtesy*	FSIS will continue to provide courteous service to each FOIA requester by providing assistance with FOIA requests in the absence of FOIA staff member assigned to the requester's request.	Immediate	Maintain record of complaints and/or compliments received for FOIA service. Recognize FOIA staff for their efforts in this endeavor.
*14. *Forms of communication with requesters*	FSIS will continue to provide services through email, facsimile, telephone, and Web site.	Immediate	Provide status letters and maintain a log of telephone calls.
20. Training	FSIS will continue to attend Department of Justice's annual FOIA training and Agency-wide training.	Immediate	Ensure FOIA staff is provided with training opportunities during the year and maintain a record of each staff member's training.
*27. *Recycling of improvement information gleaned from FOIA Requester Service Centers*	FSIS will provide a customer-feedback feature on Web site.	August 2006	Will request that Web Services Staff track FOIA website activities and provide reports on the FOIA Web page activities to monitor areas of highest interest.

Foreign Agricultural Service (FAS)
Agency Planning Document

This agency only possesses a few FOIA requests each year.

Therefore, it is not submitting a separate plan.

Forest Service Planning Document

Improvement Area	**Brief statement of goal(s)/objective(s) (i.e., improvement(s) sought to be made)**	**Time milestones (Dates expected completion)**	**Means of measurement of success**
*1. *Affirmative disclosure under subsection (a)(2).*	FS will continue to provide a Reading Room on its website and actively post commonly requested FOIA information and by posting all handbooks and manuals, major policy statements, final opinions, and NEPA related documents on its web page.	Continuing	Information required to be posted by (a)(2) is current.
*2. *Proactive disclosure of information*	FS will establish criteria to identify type of records that should be posted on the web	December 31, 2006	The criteria will be developed and disseminated to agency personnel.
*4. *Improvement of agency's FOIA Reference Guide*	FS will revise its FOIA Reference Guide currently found on the web	March 31, 2007	The revised FOIA Reference Guide will be posted.
*5. *Automated tracking capabilities*	FS will evaluate new automated tracking systems with enhanced features and procure if funding is available.	June 30, 2007	The evaluation will be complete and recommendation for action sent to management.
*6. *Electronic FOIA -- automated processing*	USDA will look into the feasibility of establishing a USDA-wide centralized, automated FOIA system. The system will include generation of automated	September 30, 2007	The study will be completed and a report given to the Chief FOIA Officer.

	letters, automated redaction, etc.		
*8. *Multi-track processing*	FS will evaluate establishment of multi-track processing that will align with the USDA regulation.	Three months from the date of publication of the revised USDA regulation related to multi-track processing	The evaluation is complete and recommendation for action sent to management.
*9. *Troubleshooting of any existing problems (even minor ones) with existing request tracking*	To promote efficiency and to inform requesters expeditiously about their request, the FS will develop and use post cards to notify requesters of receipt of request, of issues related to unperfected request, or date appeal was sent to OGC for review	August 31, 2006	Post cards ready for use.
*11. *Expedited processing*	To respond promptly to requests for expedited processing FS will develop and use post cards to inform requesters of decisions on their request for expedited processing.	August 31, 2006	Post cards ready for use.
*12. *Backlog reduction/elimination*	The FS will: • Continue to provide timely reminders to staff FOIA coordinators regarding pending FOIA requests • Continue sending pending reports to program area staff directors who must provide responsive records to the FOIA Office. • Begin sending overdue reports to	June 30, 2006	The reports will be issued and reminders provided

	the Deputy Chiefs for their program areas		
*13. *Politeness/courtesy*	FS will continue to provide courteous service to each FOIA requestor.	Immediate	Complaints to the USDA FOIA Officer and/or the Agency Public Liaison will be minimal.
*14. *Forms of communication with requesters*	FS will make clear to all requesters the multiple ways to make contact regarding their FOIA requests: including letters, telephone, facsimile, email, and through the website.	August 31,2006	Website will be updated and post cards will be completed.
*27. *Recycling of improvement information gleaned from FOIA Requester Service Centers*	FS FOIA personnel will review feedback from requesters, consider the suggested improvements, and implement as appropriate. This process will occur at each quarterly conference call with FS FOIA personnel.	Continuing	FS implements appropriate improvements.
Other Areas to be considered (Not Required)			
3.Overall FOIA Website Improvement	FS will review its FOIA website and update as required	August 31, 2006	The website has been reviewed and updated.
10. Case-by-case Problem Identification.	The FS will include an agenda item and set time aside at each regularly scheduled FOIA Coordinators conference call to discuss problem areas and/or problems that arose in the processing of FOIA requests.	Immediate	Agenda item will be established for each meeting.
16. System of handling	FS will improve accuracy of its	Immediate	Referral letters will contain

referrals.	description of records referred either by clarifying why they are responsive or by describing that they may or may not be responsive.		the new language
18. Process by which necessary cooperation is obtained from agency "program personnel."	The FS will: • Continue to provide timely reminders to staff FOIA coordinators regarding pending FOIA requests • Continue sending pending reports to program area staff directors who must provide responsive records to the FOIA Office. • Begin sending overdue reports to the Deputy Chiefs for their program areas	June 30, 2006	The number of overdue FOIA requests will decline, and the average processing time, will be shorter. The reports will be issued and reminders provided.
20. Additional training needed (formal and/or on-the-job).	FS will continue to provide FOIA training opportunities. Regional FOIA Coordinators will continue to provide training to the forest FOIA coordinators. WO FOIA group will continue to provide quarterly training to WO staff FOIA coordinators. Online training team will investigate online FOIA training.	Immediate January 31, 2007	Training completed Team will report out.
21. In-house training on "safeguarding label"/FOIA	FS will include in its in-house training on safeguarding label/FOIA exemption	Immediate	Information is included in the training.

exemption distinctions.	distinctions.		
22. Increased staffing (where applicable).	FS will fill FOIA vacancies promptly	Continuing	Vacancies filled.

Agency Planning Document
GIPSA

Improvement Area	**Brief statement of goal(s)/objective(s) (i.e., improvement(s) sought to be made)**	**Time milestones (Dates expected completion)**	**Means of measurement of success**
*1. *Affirmative disclosure under subsection (a)(2).*	GIPSA currently publishes on its website P&SP final decisions/orders, press releases and publications that may be of interest to industry members and the general public. Keep website updated.	9/30/06	Public website contains the most up to date information about the Agency's activities and is kept current
*2. *Proactive disclosure of information*	Consider posting additional records to GIPSA website, such as P&SP registrant list, and other frequently requested records.	6/31/07	Post additional public records on FOIA website with approval of Senior Management
*4. *Improvement of agency's FOIA Reference Guide*	Review GIPSA FOIA Directive and GIPSA Reference Guide and revise/update as needed. Review/update electronic Code of Federal Regulations Public Information section (800.8)	6/31/07	Issuance of revised directive, reference guide. Update e-CFR Public Information section.
*5. *Automated tracking capabilities*	GIPSA currently maintains a spreadsheet to log and track FOIA requests. Keep spreadsheet updated	Immediate	Spreadsheet contains current information needs
*6. *Electronic FOIA -- automated processing*	Consider automated FOIA processing. May be cost prohibitive for the number of requests the Agency receives.	12/31/07	Completion of a brief/simple cost-benefit analysis
*8. *Multi-track processing*	Consider adopting Department's multi-track system when developed. Currently, GIPSA processes requests in the order received. Sometimes the processing of less complex requests is completed while the processing of more complex requests received earlier is ongoing.	Within 60 days of Department publishing multi-track system	If multi-track is adopted, incorporate into Directive and reference guide

*9. *Troubleshooting of any existing problems (even minor ones) with existing request tracking*	Review current procedures for potential problems. Keep status of requests current in electronic log.	9/30/06	If procedural problems are recognized adjusting procedures and directive as necessary
*11. *Expedited processing*	Evaluate and respond to all requests for expedited processing following GIPSA's FOIA Directive at 1470.1. Few GIPSA requests meet guidelines for expedited processing	Immediate	Reflect requests and responses for expedited processing in FOIA log
*12. *Backlog reduction/elimination*	While FOIA responsibility is a collateral duty in GIPSA, a concerted effort is made to respond to requests within 20 business days. If processing cannot be completed within 20 days, an interim response is sent which includes an estimate of the number of responsive documents, the time to complete the request, and usually a cost estimate for completion.	Immediate	A minimum of backlogged requests
*13. *Politeness/courtesy*	Treat all requesters with respect and courtesy.	Immediate	Minimal or no complaints to Public Liaison
*14. *Forms of communication with requesters*	Continue to inform requesters of the various ways to contact FOIA Service Center	Immediate	Contact information posted on website
*27. *Recycling of improvement information gleaned from FOIA Requester Service Centers*	GIPSA's Service Center is actual FOIA processors. Requester feedback to processors is direct.	9/30/06	Request public feedback through Service Centers on website.

3. *Overall FOIA Website Improvement*	Website will be reviewed for user friendliness and accuracy of information	12/31/06	Website modification/updates
15. *Acknowledgement letters*	Improve communication with requesters, especially those whose request cannot be processed timely and those who are awaiting an appeal response	Immediate	Log interim letters in FOIA log

National Appeals Division (NAD)
Agency Planning Document

This agency only possesses a few FOIA requests each year.

Therefore, it is not submitting a separate plan.

NRCS Agency Planning Document

Each Agency should bring to the meeting on May 16th, the following chart filled in. This can serve as the beginning of each of your agency plans.

Improvement Area	Brief statement of goal(s)/objective(s) (i.e., improvement(s) sought to be made)	Time milestones (Dates expected completion)	Means of measurement of success
*1. *Affirmative disclosure under subsection (a)(2).*	Disclosure already on web but monthly updates possible	May 2006	Monthly attention needed
*2. *Proactive disclosure of information*	Make public information available readily available	August 2006	State and field office input
*4. *Improvement of agency's FOIA Reference Guide*	Provide update to state offices yearly	January 2007	
*5. *Automated tracking capabilities*	Develop uniform national and state office tracking	October 2006	State office input
*6. *Electronic FOIA -- automated processing*	Research agency need	October 2006	National office input
*8. *Multi-track processing*	Poll state offices to determine need	October 2006	State office input
*9. *Troubleshooting of any existing problems (even minor ones) with existing request tracking*	Coordinate national and state office input		Address problems as needed
*11. *Expedited processing*	Develop uniform national and state office tracking	October 2006	State office input

*12. *Backlog reduction/elimination*	Provide training and update general manual guidelines	October 2006	National office input
*13. *Politeness/courtesy*	Address customer service areas of concern	August 2006	State office input
*14. *Forms of communication with requesters*	Improve communication with requesters	August 2006	State office input
*27. *Recycling of improvement information gleaned from FOIA Requester Service Centers*	Provide customer feedback opportunity to requesters	October 2006	National office input

Agency Planning Document

Office of Budget and Program Analysis

Improvement Area	**Brief statement of goal(s)/objective(s) (i.e., improvement(s) sought to be made)**	**Time milestones (Dates expected completion)**	**Means of measurement of success**
*1. *Affirmative disclosure under subsection (a)(2).*	OBPA will look into establishing a page on our website and a Reading Room that provides commonly requested FOIA information	June 30, 2007	The Website Reading Room will be accessible to the public
*2. *Proactive disclosure of information*	N/A-The only information that OBPA would be frequently asked for is USDA's budget information. We have the latest budget on our website.	Completed	It's a success measured by the small number of FOIA requests received by OBPA.
*4. *Improvement of agency's FOIA Reference Guide*	OBPA will develop an OBPA FOIA Instruction/Manual to implement the USDA DR.	June 30, 2007	The OBPA Instructional Guide will be signed.
*5. *Automated tracking capabilities*	N/A-OBPA responds to requests within a few days of receiving them and therefore does not have a backlog of requests. As we receive less than a dozen requests a year they are easily tracked manually.	N/A	
*6. *Electronic FOIA -- automated processing*	N/A-In the last 4 years, 80% of the FOIA requests received have not been applicable to OBPA. Therefore new equipment would not be cost effective.	N/A	
*8. *Multi-track processing*	N/A-OBPA does not have a backlog. We have not had a request that has gone past	N/A	

	the allotted response time.		
*9. *Troubleshooting of any existing problems (even minor ones) with existing request tracking*	I'll try writing neater so that someone could actually read my FOIA log.	Immediate	No one asks me to read an entry to them.
*11. *Expedited processing*	N/A-OBPA has a two day average turnaround.	N/A	
*12. *Backlog reduction/elimination*	N/A-OBPA does not have a backlog of requests.	N/A	
*13. *Politeness/courtesy*	OBPA will continue to provide courteous service to each FOIA requestor. I'll also make sure to leave a point of contact while out of the office longer than a day.	Immediate	Complaints to the USDA FOIA Officer and/or the Agency Public Liaison will be minimal.
*14. *Forms of communication with requesters*	OBPA has provided 4 points of contact information on OBPA's website that includes: phone and fax numbers, plus e-mail and mailing addresses. In addition, if I feel that a request may take more than a couple of days to respond too; I will send out a letter of acknowledgement of the request.	Immediate	If I receive no complaints on the difficulty of contacting our FOIA Service Center, or if I do not receive any complaints on OBPA's handling of requests.
*27. *Recycling of improvement information gleaned from FOIA Requester Service Centers*	All guidance from DOJ, USDA's main FOIA office, and/or FOIA requestors will be taken into consideration.	Immediate	No complaints are received from requestors.
Other Areas to be considered (Not Required)			
3.Overall FOIA Website Improvement	OBPA will look into creating a specific FOIA page on our website.	June 30, 2007	If a website is up and running in 2007.
7. Electronic FOIA—	If OBPA creates a website, we will look	June 30, 2007	If a website is operational and

receiving/responding to requests electronically	into creating e-FOIA submissions also.		includes an e-FOIA system.
10. Case-by-case Problem Identification.	There will be an agenda item and time set aside at each regularly scheduled meetings of the USDA FOIA Officers to discuss problem areas and/or problems that arose in the processing of FOIA requests. USDA General Counsel and Privacy Act Officer will be invited to the FOIA Officers meeting for their input and advice.	June 30, 2006	Agenda item will be established for each meeting.
15. Acknowledgement Letters.	If a response looks like it will take longer to complete than a couple of days; an acknowledgement letter will be sent to the requestor.	Immediate	Complaints from requestors will be reduced.
16. System of handling referrals.	Accuracy of information to the requestor about referred documents; accuracy on whether it is responsive or not.	Immediate	Complaints from requestors will be reduced.
17. System of handling consultations.	If consulted, will work to handle the matter as quickly and efficiently as possible.	Immediate	Complaints from requestors will be reduced.
18. Process by which necessary cooperation is obtained from agency "program personnel."	N/A-OBPA's staff is extremely prompt in retrieving the necessary information needed. I believe this statement is supported by our quick responses and our lack of a backlog.	N/A	
19. Improvement ideas from field office personnel (where applicable).	N/A-OBPA does not have field offices	N/A	
20. Additional training needed (formal and/or on-the-job).	USDA will look at the feasibility of putting FOIA training modules in the AgLearn on-line training system.	June 30, 2007	AgLearn system will show the number of successfully completed courses.

21. In-house training on “safeguarding label”/FOIA exemption distinctions.	A cautionary note will be spread to be more careful about using these labels.	Immediate	Complaints from requestors and/or coworkers will be reduced.
22. Increased staffing (where applicable.)	N/A-OBPA has no need for additional FOIA staff.	N/A	
23. Changes to personnel practices (job series, grades, etc.) needed.	N/A	N/A	
24. Contracting out/hiring of contract employees.	N/A	N/A	
25. Purchase of new equipment needed.	N/A-This is not cost effective for OBPA with the small number of requests received.		
26. Centralization/decentralization.			

27 Revise USDA DR

Look at fee schedule –update the schedule. OCFO

Office of the Chief Financial Officer (OCFO)
Agency Planning Document

This agency only possesses a few FOIA requests each year.

Therefore, it is not submitting a separate plan.

Office of the Chief Information Officer (OCIO)
Agency Planning Document

This agency only possesses a few FOIA requests each year.

Therefore, it is not submitting a separate plan.

Office of General Counsel (OGC)
Agency Planning Document

This agency only possesses a few FOIA requests each year.

Therefore, it is not submitting a separate plan.

FOIA Review
Agency Planning Document
Office of the Inspector General

Part II – Office of Inspector General (OIG) FOIA Plan

A. Characterize overall nature of agency's FOIA operations (degree of detail optional), with optional reference to areas preliminarily considered for agency review. (Agencies may also describe any particular FOIA challenges that they face.)

Response: OIG has a centralized FOIA program. We have field office locations, but they do not process FOIA requests. All FOIA processing is done at OIG Headquarters. We accept FOIA requests by regular mail, by phone and by fax, and have a dedicated FOIA mailbox on the internet. We are available by phone to answer questions, to walk requestors through the process of making a FOIA request, to clarify FOIA requests, and to give the status of FOIA requests. We receive many phone calls in connection with FOIA/PA requests.

The OIG FOIA program is found at 7 C.F.R. Part 2620. OIG Office of Counsel (of which the FOIA Staff is a part) processes and advises the Inspector General on FOIA appeals. All FOIA appeals are decided by the Inspector General.

OIG has its own FOIA program and handles its own appeals due to OIG's statutory independence within USDA. Additionally, many OIG records, particularly criminal investigation records and sensitive audit records and materials, present specialized concerns regarding FOIA processing

Staffing consists of four full time employees who work on FOIA matters: a FOIA Attorney, who acts as the Team Leader, a Management Analyst, a FOIA Administrative Assistant, and a FOIA Paralegal, who started on April 17, 2006, but is currently on maternity leave. Supervisory oversight is provided by the Deputy Counsel to the IG for Congressional and Media Affairs, who in turn reports to the Counsel to the IG.

OIG utilizes the ARGOS system, which is an Oracle database that provides all functions required for FOIA tracking. We use ARGOS to track and log requests, send out acknowledgment letters (both on initial requests and appeals), and to calculate our numbers for the annual report, our monthly reports, and the OIG's Semiannual Report to Congress. Searches for responsive documents are also made on this system based upon the information provided by requesters.

Pursuant to the DOJ guidelines, expedited processing has been granted in instances where the media requester has established an urgent need to inform the public concerning an OIG matter. Litigation deadlines also may be cause for expedited processing.

OIG has four tracks: 1) expedited, 2) a simple track, 3) a complex track, and 4) a remanded track for appeals that are remanded to FOIA staff for initial processing. Remanded cases occur, for example, in instances when an Exemption 7(A) case is no longer open, and the IG as the appellate authority remands the case for further processing.

OIG's website at http://www.usda.gov/oig/index.htm has many final products of OIG online, including our audit reports, investigative summaries, and the Inspector General's Congressional testimonies. Because our investigative reports are frequently part of a Privacy Act record, and additionally often contain sensitive information on subjects and witnesses, as well as on law enforcement techniques, we generally do not post our investigative reports. Instead, we post sanitized summaries of investigative results.

The website also contains detailed instructions on how to submit a FOIA request to OIG. We accept requests by e-mail, fax or by regular mail, as stated on our FOIA page at http://www.usda.gov/oig/foiareq.htm. Our annual reports are also listed on our FOIA website, as well as links to the Department's FOIA websites. See http://www.usda.gov/oig/foia.htm.

OIG FOIA Staff routinely provides courteous service to each FOIA requester, and provides alternative phone numbers for a member of the staff when they are on any extended leave from the office.

OIG has had a significant backlog in the past which is, with continued effort, showing steady improvement. In April of 2004, the backlog stood at 142. In FY 2004, we processed 226 FOIAs, including five appeals. In FY 2005, we processed 201 FOIAs, including 15 appeals. As of April 31, 2006, the backlog was 67. We are working to continue this downward trend

B. List all areas selected for review:

Backlog, website improvement, various other processes as described.

C. Include narrative statement summarizing results of review:

Response: Our biggest challenge is our backlog. To eliminate/reduce the backlog, the following steps have been taken:

1. In February 2006, we requested and were granted authority to hire an additional, full time FOIA staff person (a Paralegal) to work solely on processing FOIAs. However, because this new hire is on maternity leave, we are in the process of hiring a temporary contractor to fill in for her so that we do not "lose ground." Additionally, we will have a college student intern over the summer, which we will use to assist us in further improving our OIG FOIA website, and to provide input for a FOIA Reference Guide.

2. We continue to train staff, including attorneys working on appeals.

3. We have established monthly internal FOIA meetings. These meetings are devoted to awareness and education, including the discussion of new ideas that may have been learned from other sources such as DOJ or ASAP-sponsored training. We also use these meetings to coordinate high priority or complex response efforts and to discuss FOIA policies and procedures that are working well, the implementation of new or improved "best practices," issues and requests needing special attention, and any problem areas that have arisen.

4. We periodically examine our internal work practices, which are captured in our "Workflow & Procedures." This gives us opportunity to identify bottlenecks in our process, so that we can try to resolve them as they arise. Examples in the past have included making website improvements, instituting new processing tracks, and making updates to the acknowledgement letter.

5. Several FOIA staffers typically devote several days each month to a joint effort to process "Old Dogs." These are typically the oldest and larger FOIA cases in our backlog. We have found that working together on these helps to clear them out in a more expeditious fashion.

6. We have established a bifurcated process for handling FOIA appeals. The appeals are processed by attorneys in the OIG Office of Counsel.[1] This bifurcation was done to further alleviate the workload on the FOIA Staff, allow them to focus on initial requests, and to allow a different "processor" to take a "fresh look" upon appeal at the reasons for withholding or redacting documents at the initial processing stage.

7. FOIA Staff revised OIG's FOIA webpage, adding a FOIA Service Center and a Public Liaison as the public's point of contact for FOIA inquiries.

To eliminate/reduce the backlog, the follows steps are being considered:

1. We will continue to review and improve our website, including having a link to the Department's Handbook online.

2. We are also looking into the feasibility of establishing an OIG automated redaction system, and are considering the feasibility of purchasing a new/improved copier, perhaps with scanning abilities.

D. List all areas chosen as improvement areas for agency plan:

Backlog reduction is of particular focus for OIG's plan.

E. For each improvement area provide:

[1] With consultation, as needed with the FOIA Attorney mentioned above, who acts as the Team Leader in the processing of initial FOIA requests.

1. Name: Backlog reduction.
2. Brief statement of goal(s)/objective(s): Have a manageable backlog, with a goal of its elimination.
3. List of all distinct steps planned to be taken: See above.
4. Time milestones (in relation to specific timetables and outcomes): See below.
5. Means of measurement of success: Backlog reduction expressed in numbers of pending requests. Reduce pending requests numbers to 55 pending requests by December 2006. Reduce pending requests to 30 by December 2007.

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

1. Areas anticipated to be completed by December 31, 2006: Reduction of backlog to 55 requests.

2. Areas anticipated to be completed by December 31, 2007: Reduction of backlog to 30 requests.

3. Areas anticipated to be completed after December 31, 2007: Reduction of backlog to a number between 10 and zero.

Table 1:
OSEC FOIA Plan for EO 13392

Improvement Area	**Brief statement of goal(s)/objective(s) (i.e., improvement(s) sought to be made)**	**Time milestones (Dates expected completion)**	**Means of measurement of success**
*1. *Affirmative disclosure under subsection (a)(2).*	USDA FOIA will enhance the USDA FOIA webpage to link to each of the agency FOIA electronic reading rooms. Continue to post documents on the FOIA webpage required under subsection (a)(2).	December 31, 2006	The USDA Website Reading Room will be linked to the agency reading rooms and accessible to the public
*2. *Proactive disclosure of information*	USDA FOIA will establish guidelines for USDA agencies to use in identifying potential areas of information (other than subsection (a)(2)) that could be posted to the FOIA webpage.	June 30, 2007	The guidelines will be developed and provided to all USDA FOIA offices.
*4. *Improvement of agency's FOIA Reference Guide*	USDA FOIA will revise the USDA FOIA reference guide to provide more information about USDA FOIA operations and how to request information under FOIA.	December 31, 2006	The revised version of the USDA FOIA reference guide will be completed and available on the FOIA website.
*5. *Automated tracking capabilities*	OSEC will evaluate the feasibility of obtaining an automated tracking system.	June 30, 2007	Complete review of existing USDA agency tracking systems to determine if any of the current systems will be feasible for use in OSEC.
*6. *Electronic FOIA -- automated processing*	USDA FOIA will look into the feasibility of establishing a USDA-wide centralized, automated FOIA system. The system will include generation of automated letters,	September 30, 2007	The study will be completed and a report given to the Chief FOIA Officer.

	automated redaction, etc.		
*8. *Multi-track processing*	USDA FOIA will revise the USDA FOIA regulations to establish a minimum of 4 tracks to select from when processing requests.	December 31, 2007	The regulations will be drafted and finalized.
*9. *Troubleshooting of any existing problems (even minor ones) with existing request tracking*	USDA FOIA will meet quarterly with agency FOIA personnel and determine what improvements are needed with the current tracking procedures.	Continuing	Schedule quarterly meetings with agency FOIA Officers
*11. *Expedited processing*	USDA FOIA will review the USDA regulations and — prepare an informal desk guide with examples to assist agencies in determining when to grant expedited processing.	December 31, 2007	The regulations will be reviewed and the desk guide completed.
*12. *Backlog reduction/elimination*	NA		
*13. *Politeness/courtesy*	OSEC will continue to provide courteous service to each FOIA requestor. When away for a while, make sure the public has a contact while you are away.	Immediate	Complaints to the USDA FOIA Officer and/or the Agency Public Liaison will be minimal.
*14. *Forms of communication with requesters*	OSEC FOIA Officer will make clear to all FOIA requestors in the USDA FOIA Guide that they can make contact through several communication procedures: telephone, facsimile, email, and through the website.	December 31, 2006	Review and update USDA FOIA Website and FOIA Guide.
*27. *Recycling of improvement information gleaned from FOIA Requester Service Centers*	USDA FOIA will meet quarterly with agency FOIA officers and discuss and implement areas of improvement gleaned from the agency FOIA requester service	Continuing	Schedule quarterly meetings with the agency FOIA Officers.

	centers.		
3.Overall FOIA Website Improvement	USDA FOIA will review the USDA FOIA website and make necessary revisions to make the site more user friendly.	December 31, 2006	The website will be reviewed and updated.
7. Electronic FOIA—receiving/responding to requests electronically	USDA FOIA will revise the USDA FOIA website to allow for receiving electronic FOIA submissions.	December 31, 2006	The website will be operational and will include an e-FOIA system.
10. Case-by-case Problem Identification.	USDA FOIA establish an agenda item and set aside time at each regularly scheduled meetings of the USDA FOIA Officers to discuss problem areas and/or problems that arose in the processing of FOIA requests. USDA General Counsel and Privacy Act Officer will be invited to the FOIA Officers meeting for their input and advice.	December 31, 2006	Agenda item will be established for each meeting.
15. Acknowledgement Letters.	OSEC will determine if there is postcard format available in other federal agencies to acknowledge FOIA requests and implement the system within USDA.	June 30, 2007	Process will be complete.
16. System of handling referrals.	USDA FOIA will review agency regulations to determine if procedures of handling referrals need to be revised.	December 31, 2007	USDA FOIA regulations will be revised and published.
17. System of handling consultations.	USDA FOIA will review agency regulations to determine if procedures of handling consultations need to be revised.	December 31, 2007	USDA FOIA regulations will be revised and published.
18. Process by which necessary cooperation is obtained from agency “program personnel.”	OSEC FOIA will provide timely reminders to FOIA staffs regarding pending requests, and provide instruction and guidance agency program personnel on FOIA	Continuing	The number of outstanding FOIA requests, and the average processing time, will improve.

	processing and timelines. Determine the feasibility of developing overdue FOIA reports for program managers.	December 31, 2006	
19. Improvement ideas from field office personnel (where applicable).	NA		
20. Additional training needed (formal and/or on-the-job).	USDA FOIA will investigate the feasibility of creating FOIA training modules in the AgLearn on-line training system for all USDA employees. USDA FOIA will encourage agency FOIA officers to take advantage of DOJ and ASAP FOIA training opportunities.	June 30, 2007 Continuing	Study will be completed and a recommendation made on how to proceed.
21. In-house training on "safeguarding label"/FOIA exemption distinctions.	NA		
22. Increased staffing (Where applicable.)	OSEC FOIA will pursue obtaining one additional full time position to assist the FOIA Officer.	September 30, 2007	Additional staff will be working on FOIA requests or managing the tracking system.
23. Changes to personnel practices (job series, grades, etc.) needed.	NA		
24. Contracting out/hiring of contract employees.	NA		
25. Purchase of new equipment	OSEC FOIA will investigate if any	December 31, 2006	Create a list of available

needed.	modern photocopy machines are currently available within USDA offices/agencies.		copier machines and provide to USDA agency FOIA Officers.
26.Centralization/decentralization	NA		
27. Recycling of improvement information gleaned from FOIA requester service centers	USDA FOIA will meet with agency FOIA Officers to share information obtained from agency service centers to identify areas of improvement in FOIA operations.	Continuing	Quarterly meetings with USDA FOIA Officers.
28. Revise USDA FOIA Regulations.	The USDA FOIA Office will revise the USDA FOIA regulations and FOIA fee schedule to include requirements of the EO.	December 31, 2007	Revised regulations are approved and published.

FOIA Review
Agency Planning Document
Research, Education, & Economics (REE)

Each Agency should bring to the meeting on May 16th, the following chart filled in. This can serve as the beginning of each of your agency plans.

Improvement Area	Brief statement of goal(s)/objective(s) (i.e., improvement(s) sought to be made)	Time milestones (Dates expected completion)	Means of measurement of success
*1. *Affirmative disclosure under subsection (a)(2).*	REE has already established an Electronic Reading Room. This site is periodically updated.	N/A	
*2. *Proactive disclosure of information*	The REE agencies provide access to publicly available information on their websites. These websites are updated routinely.	N/A	
*4. *Improvement of agency's FOIA Reference Guide*	We are currently revising the REE FOIA Reference Guide to include a FOIA Request form and to make the guide more user friendly.	June 30, 2006	Receipt of FOIA Request Forms via email.
*5. *Automated tracking*	REE currently has an	N/A	

capabilities	automated tracking system, which can be used to provide the requester with a status update.		
*6. *Electronic FOIA -- automated processing*	REE has Redax software, which allows this office to redact exempt information from electronic documents. When appropriate, documents are scanned and provided electronically.	N/A	
*8. *Multi-track processing*	REE has included multi-track processing in our regulations; however, it has not been necessary to implement.	N/A	
*9. *Troubleshooting of any existing problems (even minor ones) with existing request tracking*	N/A	N/A	
*11. *Expedited processing*	REE grants requests for expedited processing, if the criteria are met.	N/A	
*12. *Backlog reduction/elimination*	N/A	N/A	
*13. *Politeness/courtesy*	REE will continue to provide courteous service to each FOIA requester.		
*14. *Forms of communication with*	The REE FOIA Website provides contact	N/A	

requesters	information including telephone numbers, facsimile, emails, and provides contact information through the website.		
*27. *Recycling of improvement information gleaned from FOIA Requester Service Centers*	REE will implement any improvements gleaned from the FOIA Requester Service Centers.	N/A	

Agency Planning Document
Risk Management Agency (RMA)

Improvement Area	**Brief statement of goal(s)/objective(s) (i.e., improvement(s) sought to be made)**	**Time milestones (Dates expected completion)**	**Means of measurement of success**
*2. *Proactive disclosure of information*	Establish a link from the RMA Reading Room on the Internet site to the Summary of Business that gives aggregate data on producers, crops, insurance policies, and other information commonly requested under FOIA	December 31, 2006	The number of requests for producer and crop insurance related request will decrease
*5. *Automated tracking capabilities*	RMA will enhance its existing automated tracking system; parts will be accessible to RMA Staff Office personnel.	June 30, 2007	The tracking system will be fully operational.
*13. *Politeness/courtesy.*	Inculcate courteous service throughout the FOIA process	Immediate	No complaints pertaining to poor or discourteous service to the USDA FOIA Officer and/or the Agency Public Liaison.

Improvement Area	**Brief statement of goal(s)/objective(s) (i.e., improvement(s) sought to be made)**	**Time milestones (Dates expected completion)**	**Means of measurement of success**
*14. *Forms of communication with requesters*	The RMA FOIA Officer will inform all FOIA Officer through several communication procedures; telephone, facsimile, email and through the website. The forms of communication for requesting information will be posted on the website.	June 30, 2006	Website will be complete. Requests will be received in a variety of forms
Other Areas to be considered (Not Required)			
7. Electronic FOIA receiving/responding to requests electronically.	RMA will emphasize to requesters that electronic communications is the most efficient and fastest means for processing their requests. This point will be added to response templates and the website	September, 2006	Website will be operational and will include an e-FIOA system. The number and percentage of e-FOIA transaction will increase yearly.

Improvement Area	**Brief statement of goal(s)/objective(s) (i.e., improvement(s) sought to be made)**	**Time milestones (Dates expected completion)**	**Means of measurement of success**
15. Acknowledgement Letters	Acknowledge Letters and interim responses will continue to be a part of the Standard Operating Procedure. Telephonic and email follow-up will also continue.	June 30, 2006	Complaints form requestors about lateness or unresponsiveness will be reduced.
20. Additional training needed (formal and/or on-the-job).	The FOIA Officer will provide instruction/guidance/education to the RMA Staff Office Directors and field offices on FOIA processing.	September 30, 2006	Reduced privacy issues and more FOIA awareness that result in timely and complete actions.
25. Purchase of new equipment needed.	RMA will purchase a scanner to accommodate large volumes of documents.	September 30, 2006	Scanner reduces administrative workload.

Rural Development – Freedom of Information Act Plan
Part II – Plan/Report

A. Characterize overall nature of agency's FOIA operations (degree of detail optional), with optional reference to areas preliminarily considered for agency review. (Agencies may also describe any particular FOIA challenges that they face.)

The Rural Development Freedom of Information Act (FOIA) program is decentralized. The staff in the National Office consists of two FOIA Specialists and one FOIA Assistant. In the National Office, incoming requests from the public are logged into a tracking system and an acknowledgement letter is sent to the requester indicating receipt. Each request is carefully reviewed. If necessary, a letter is written to the requester to clarify any questions the FOIA staff may have about the request. Depending on the nature and location of the information being requested, the request is answered at the National Office or forwarded to the respective State Office for their response. When a request is forwarded to a State Office, the requester is notified in writing and provided the contact information for the State Office. A requester can call anytime to obtain the status of their FOIA request. Information on the FOIA process and procedures are available to the public through the United States Department of Agriculture's internet website.

Requests for information located in the National Office for the Rural Business-Cooperative Service and Rural Housing Service are answered by the Rural Development FOIA Specialist. Requests for information located in the National Office for the Rural Utilities Service are answered by the Rural Utilities Service FOIA Specialist.

Rural Development has 47 Rural Development State Office field locations. Each State Office has a FOIA Coordinator. In addition, each State has Area and Local Offices. The individuals that head up these Area and Local Offices are delegated to act as FOIA Coordinators for their respective office.

B. List all areas selected for review.

Backlog/reduction/elimination.

Politeness/courtesy.

Forms of communication with requesters.

Acknowledgement letters.

Additional training needed (formal and/or on-the-job).

System of handling referrals.

C. Include narrative statement summarizing results of review:

Backlog/reduction/elimination: Rural Development received 1,603 FOIA requests during Fiscal Year (FY) 2005. The number of requests pending at the end of FY 2005 was 47. The median number of days requests were pending at end of FY 2005 was 18-1/2 days. FOIA staff will continue to focus on ways to reduce backlogs.

Politeness/courtesy: Rural Development has not received any complaints about staff courtesy for the period of time from October 2005 to May 2006. FOIA staff handle themselves in a professional manner and often exchange ideas on using successful communication techniques with each other. FOIA staff utilize communication training courses available from the AgLearn website.

Form of communication with requesters: A policy is in place for the routing, review, and approval of all correspondence. The policy provides for multiple reviews of documents within a short period of time and assists in identifying mistakes in grammar or clarity. A set of standard template letters was developed and is in use. Their use has expedited the document clearance process.

Acknowledgement letters: Rural Development sends a letter to the requester within 2-3 working days upon receipt of the request.

Additional training needed (formal and/or on-the-job): Rural Development has experienced a recent turnover of staff in field offices assigned the position of FOIA Coordinator. A FOIA training presentation has been created and is being routed for approval. The presentation will be made internet accessible. Once placed into the agency's website, an Unnumbered Letter will be issued to all FOIA Coordinators providing them the location of the presentation. Also, a teleconference is now held on a regular basis. The teleconference includes agenda items that cover issues and provide a forum for an exchange of information between FOIA Coordinators. The teleconferences have been so successful, that the FOIA officer is going to create a separate e-mail box to which questions can be sent from the FOIA Coordinators.

System of handling referrals: All referrals are handled quickly. Careful consideration is given to each request for information. Depending on the nature and location of the requested information, the request is answered at the National Office or forwarded to the respective State Office for response. When a request is forwarded to a State Office, the requester is notified in writing and provided the contact information for the State Office.

E. For each improvement area provide:

1. Name:

    A. Backlog reduction/elimination.
    B. Politeness/courtesy.
    C. Form of communication with requesters.
    D. Acknowledgement letters.
    E. Additional training needed (formal and/or on-the-job).
    F. System of handling referrals.

2. Brief statement of goal(s)/objective(s) (i.e. improvement(s) sought to be made):

    A. Reduce the amount of time needed to search for information by maintaining an up-to-date listing of information available on the department's internet website.
    B. Maintain a minimum number of complaints from requesters.
    C. Establish a FOIA e-mail box for enhanced communication with FOIA Coordinators.
    D. Issue acknowledgement letters within 2-3 business days upon receipt of the request.
    E. Complete the FOIA training presentation and have it loaded into the agency's website when approved. Continue to hold teleconferences.
    F. Upon the decision to refer a request to another office, issue a notification to the requester within 2-3 business days.

3. List of all distinct steps planned to be taken
    A. All requests will be immediately reviewed to determine if any information is available on the internet. Information contained in the request will be provided as it becomes available.
    B. Record complaints from requesters and investigate the cause of the complaints, and initiate a plan to address the issue.
    C. Contact the IT Help Desk to establish a FOIA e-mail mailbox and issue an Unnumbered Letter notifying FOIA Coordinators when it is set-up.
    D. Continue to monitor response times.
    E. Complete the clearance process for the presentation and load the presentation on the agency's internet website when approved. Continue to hold teleconferences with FOIA Coordinators.
    F. Continue to monitor response times.

4. Time milestones (in relation to specific timetables and outcomes)
    A. December 31, 2007
    B. January 31, 2007
    C. October 31, 2006
    D. December 31, 2007
    E. March 31, 2007
    F. December 31, 2007

5. Means of measurement of success (e.g. quantitative assessment of backlog reduction expressed in numbers of pending requests, percentages, or working days)
    A. Quantitative assessment of backlog reduction expressed in numbers of pending requests.
    B. Quantitative assessment of complaints expressed in numbers of complaints received.
    C. Weekly reporting of the number of e-mails received.
    D. Quantitative assessment of days to issue acknowledgement letter expressed in number of days to issue letter.
    E. Completion of training presentation by FOIA Coordinators.
    F. Quantitative assessment of days to issue letter to requester notifying them of the referral expressed in number of days to issue letter.

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

1. Areas anticipated to be completed by December 31, 2006

   C. Form of communication with requesters

2. Areas anticipated to be completed by December 31, 2007

   A. Backlog reduction/elimination.
   B. Politeness/courtesy.
   D. Form of communication with requesters.
   E. Acknowledgement letters.
   F. Additional training needed (formal and/or on-the-job).
   System of handling referrals.

3. Areas anticipated to be completed after December 31, 2007

   None