



OFFICE OF FEDERAL HOUSING ENTERPRISE OVERSIGHT

1700 G STREET NW WASHINGTON DC 20552 (202) 414-3801

OFFICE OF THE DIRECTOR

June 14, 2006

Pamela A. Maida
U.S. Department of Justice
Office of Information and Privacy
Flag Building, Suite 570
950 Pennsylvania Avenue, NW
Washington, DC 20530


Dear Ms. Maida:

Pursuant to Executive Order 13392, "Improving Agency Disclosure of Information", enclosed is the FY06 report for the Office of Federal Housing Enterprise Oversight (OFHEO). OFHEO is very aware of the importance of the Freedom of Information Act and is dedicated to providing FOIA requesters and the public in general, with citizen-centered ways to learn about the FOIA process, about agency records that are publicly available, and about the status of a person's FOIA request and appropriate information about the agency's response.

I am very pleased to report that OFHEO's Freedom of Information Act (FOIA) operations are strong and efficient. OFHEO does not have a backlog of requests. Our review did find that there are areas OFHEO could make improvements. The enclosed report reflects a summary of the review of the agency's FOIA operations and our plan for improvement, including concrete milestones for FY06 and FY07.

If you have questions or need any further information, please do not hesitate to contact me or Mark Laponsky, Chief FOIA Officer, at (202) 414-3832 or mark.laponsky@ofheo.gov.

Sincerely,


James B. Lockhart III
Acting Director

Enclosure



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1700 G STREET NW WASHINGTON DC 20552 (202) 414-3801

OFFICE OF THE DIRECTOR

June 14, 2006

Daniel Costello
Policy Analyst
Office of Management and Budget
Office of Information and Regulatory Affairs
725 17th Street NW
Washington, DC 20503

Dear Mr. Costello:

Pursuant to Executive Order 13392, "Improving Agency Disclosure of Information", enclosed is the FY06 report for the Office of Federal Housing Enterprise Oversight (OFHEO). OFHEO is very aware of the importance of the Freedom of Information Act and is dedicated to providing FOIA requesters and the public in general, with citizen-centered ways to learn about the FOIA process, about agency records that are publicly available, and about the status of a person's FOIA request and appropriate information about the agency's response.

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Sincerely,


James B. Lockhart III
Acting Director

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OFFICE OF FEDERAL HOUSING ENTERPRISE OVERSIGHT
Implementation of Executive Order 13,392

A. Review of FOIA Operations

The Freedom of Information (FOIA) staff at OFHEO consists of the Chief FOIA Officer, the FOIA Officer and the Information Management Assistant. The Office of General Counsel provides legal advice to the FOIA Officer as needed. In April 2006, OFHEO posted the contact information for the FOIA Requester Center and the FOIA Public Liaison to its website. It should be noted that FOIA staff at OFHEO have additional job responsibilities that fall outside the scope of the FOIA.

FOIA requests at OFHEO are handled on a centralized basis and are not multi-tracked. There is no backlog of requests. Decisions on whether to expedite the handling of FOIA requests are made within ten calendar days. In FY05, OFHEO processed 126 FOIA requests and one FOIA appeal. The median number of days to process requests in FY05 was 16. Program personnel typically are cooperative and respond quickly to requests from the FOIA Officer. The agency does not have field offices.

The FOIA Officer's preferred practice is to communicate with requesters by telephone or e-mail when there are questions about a request. These methods have proven to be the most efficient for both the agency and the requester. OFHEO accepts and responds to requests by mail as well as electronically (by e-mail or facsimile). FOIA staff often receives compliments from requesters regarding the service received. In the three years the FOIA officer has been processing requests, she has not received any service complaints from customers. Acknowledgement letters are sent confirming receipt of requests. The FOIA officer seldom makes referrals or has a need to consult with another agency.

The status of FOIA requests is tracked utilizing an Excel spreadsheet. The spreadsheet provides the ability to provide FOIA requesters information on the status of their request. The data on the spreadsheet is also used to compile the annual FOIA report. Redaction is done manually using white tape.

B. Areas Selected for Review

A review of OFHEO's FOIA operations to determine whether agency practices are consistent with the policies set forth in Executive Order No. 13,392, identified seven areas of FOIA administration appropriate for inclusion in an improvement plan. The areas are:

1. Affirmative disclosure under subsection (a) (2);
2. Proactive disclosure of information;
3. FOIA web site;
4. FOIA reference guide;

5. Redaction process;
6. Training needs;
7. Equipment needs.

C. Results of Review

The results of the review of the seven areas identified above found that there were minor improvements that could be made to strengthen OFHEO's FOIA operations. The primary objectives of the improvements are efficiency and customer service. OFHEO FOIA staff is committed to providing FOIA requesters and the public in general with citizen-centered ways to learn about the FOIA process, about agency records that are publicly available, about the status of a person's FOIA request and appropriate information about the agency's response. Additionally, OFHEO's Chief FOIA Officer and FOIA Officer will develop generic solutions that can be applied to FOIA operations when problems are identified from information provided by requesters.

D. Areas Chosen as Improvement Areas for OFHEO's Plan

1. Affirmative disclosure under subsection (a)(2)
2. Proactive disclosure of information
3. FOIA web site
4. FOIA reference guide
5. Redaction process
6. Training needs
7. Equipment needs

E. Improvement Areas – Goals, Milestones, Measurements

1. Affirmative disclosure under subsection (a) (2).

Objective: To ensure that frequently requested records, policy statements, staff manuals and instructions to staff, and final agency opinions are posted on OFHEO's website.

Steps and Time Milestones:

- a. Meet with the employee who manages postings to the web site to review the current process for posting information. *(September 15, 2006)*
- b. Develop policy and revise (as necessary) the process for posting the information. *(October 15, 2006)*
- c. Implement policy and revised process. *(December 15, 2006)*
- d. Educate employees. *(December 31, 2006)*

Measurement of Success:

- a. Quarterly reviews of required documents on the web site by office directors find that all required documents are posted.
- b. Documents not posted are identified and posted.

2. Proactive disclosure of information.

Objective: To ensure that public information that does not fall into any subsection (a) (2) category is made readily available by posting on OFHEO's website.

Steps and Milestones:

- a. Identify any information that can be posted to website that would reduce the need for requesters to make FOIA requests. (*October 15, 2006*)
- b. Coordinate posting information to website. (*November 15, 2006*)

Measurement of Success:

- a. Quarterly reviews by FOIA Officer identifies additional information that can be posted.

3. FOIA web site.

Objective: To ensure the OFHEO FOIA web site meets federal policies and requirements for effectively managing federal agency public web sites.

Steps and Milestones:

- a. Review federal policies and requirements for federal web sites. (*December 15, 2006*)
- b. Identify any policies and requirements OFHEO is not meeting. (*January 15, 2007*)
- c. Develop plan for addressing any compliance issues. (*February 1, 2007*)

Measurement of Success:

- a. Website is in compliance with federal policies and requirements.
- b. Website is reviewed quarterly for compliance and out of date information.

4. FOIA Reference Guide.

Objective: To ensure that OFHEO's FOIA Reference Guide is comprehensive and up to date.

Steps and Milestones:

- a. Review OFHEO's FOIA Reference Guide. (*March 15, 2007*)
- b. Update/revise as necessary. (*July 15, 2007*)
- c. Review annually. (*beginning January 1, 2008*)

Measurement of Success:

- a. OFHEO's FOIA Reference Guide is comprehensive, up-to-date and user friendly.

5. Redaction Process.

Objective: To automate process for redacting responsive documents.

Steps and Milestones:

- a. Identify requirements and submit to Office of Technology and Information Management. (*March 15, 2007*)
- b. Review COTS products. (*June 15, 2007*)
- c. Implement new process for redacting FOIA documents. (*October 15, 2007*)

Measurement of Success:

- a. If determined to be beneficial, redaction software is purchased and implemented. Responsive records are redacted more efficiently.

6. Training Needs.

Objective: To ensure that FOIA personnel are adequately trained (formal and/or on-the-job)

Steps and Milestones:

- a. Identify formal training opportunities for FOIA personnel. (*July 15, 2006*)

- b. Develop a network of FOIA personnel at other agencies. (*September 15, 2007*)

Measurement of Success:

- a. FOIA personnel attend training classes, meetings with other FOIA professionals, and routinely read DOJ FOIA Post.
 b. FOIA requests are processed in compliance with regulations.

7. Equipment Needs.

Objective: To purchase scanning equipment to assist FOIA personnel in processing FOIA requests more efficiently.

Steps and Milestones:

1. Identify requirements and submit to the Office of Technology and Information Management (OTIM). (*June 15, 2006*)
2. Review specifications of hardware suggested by OTIM. (*August 15, 2006*)
3. Submit recommendation for approval. (*September 15, 2006*)
4. Scanner in use. (*October 15, 2006*)

Measurement of Success:

- a. FOIA personnel process the majority of responses electronically.
 b. OFHEO's official FOIA records are stored electronically.

F. Anticipated Dates for Completion of Improvements.

1. Areas to be completed by December 31, 2006.
 - Affirmative disclosure under subsection (a)(2)
 - Proactive disclosure of information
 - Equipment needs
2. Areas to be completed by December 31, 2007.
 - FOIA website
 - Redaction process
 - Training needs

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

- FOIA reference guide