



Department of Energy
Washington, DC 20585

February 1, 2008

Melanie Pustay
Director
Office of Information and Privacy
U.S. Department of Justice
1425 New York Ave., Suite 11050
Washington, DC 20530

Dear Ms. Pustay:

Pursuant to the requirements set forth by Title 5, United States Code, Section 552(e), enclosed is a copy of the Annual Report on the administration of the Freedom of Information Act (FOIA) by the Department of Energy. The report will be made available on the World Wide Web through the FOIA Home Page of the Department.

If you have any questions, please contact Mr. Chris Morris or Ms. Sheila Jeter of my staff at (202) 586-5955.

Sincerely,

A handwritten signature in black ink, appearing to read "Verlette L. Gatlin".

Verlette L. Gatlin, Deputy Director
FOIA and Privacy Act Office
Office of Information Resources

Enclosure



Printed with soy ink on recycled paper

**U.S. Department of Energy
2007 Annual Report**

I. Basic Information Regarding Report.

A. Kevin T. Hagerty, Director
Office of Information Resources, MA-90
U.S. Department of Energy
1000 Independence Avenue, SW
Washington, DC 20585
202-586-5955

Sheila Jeter, FOIA/Privacy Act Specialist
Chris Morris, Information Access Specialist
FOIA/Privacy Act Office, MA-90
Office of Information Resources
U.S. Department of Energy
1000 Independence Avenue, SW
Washington, DC 20585
202-586-5955

B. The World Wide Web address to obtain an electronic copy of the Freedom of Information Act (FOIA) report is http://management.energy.gov/documents/annual_reports.htm. The report can then be accessed by clicking **FOIA Annual Reports**.

C. A paper copy of the report can be obtained at the Headquarters Freedom of Information Public Reading Room located in the Forrestal Building, 1000 Independence Avenue, S.W., Washington, DC 20585, or by submitting a request to the FOIA/Privacy Act Group. The hours of the Reading Room at Headquarters are from 9:00 a.m. to 4:00 p.m. weekdays, except federal holidays.

II. How to make a FOIA Request.

The Department of Energy (DOE) FOIA Home Page links to the FOIA Reference Guide, which provides instructions on how to make a FOIA request. A FOIA request also may be submitted electronically through the DOE FOIA Home Page or by facsimile at (202) 586-0575. The FOIA Home Page address is http://management.energy.gov/foia_pa.htm and the guide can be accessed by clicking on **Public Handbook for Gaining Access to DOE Information**.

A. Requests may be submitted to:

Kevin T. Hagerty, Director
Office of Information Resources, MA-90
U.S. Department of Energy
1000 Independence Avenue, SW
Washington, DC 20585
202-586-5955

B. For a detailed breakdown of each component's response times, see Section VII of this report, Compliance With Time Limits/Status of Pending Requests.

C. A requester may not be granted records that are requested because (1) the documents are not in existence; or (2) the information requested is exempt from disclosure in accordance with the Privacy Act and the FOIA.

III. **Definitions of Terms and Acronyms Used in the Report.**

A. Agency specific acronyms or other terms are as follows:

DOE	Department of Energy
Field Offices	DOE offices not located in Washington metropolitan area
HQ	DOE Headquarters
NNSA/AL	National Nuclear Security Administration Service Center Albuquerque
BPA	Bonneville Power Administration
CBFO	Carlsbad Field Office
CH	Chicago Operations Office
EMCBC	Environmental Management Consolidated Business Center
GFO	Golden Field Office

ID	Idaho Operations Office
NETL	National Energy Technology Laboratory
NR	Office of Naval Reactors
ORO	Oak Ridge Office
PNSO	Pacific Northwest Site Office
RL	Richland Operations Office
SROO	Savannah River Operations Office
OSTI	Office of Scientific and Technical Information
SEPA	Southeastern Power Administration
SWPA	Southwestern Power Administration
SPR	Strategic Petroleum Reserve
WAPA	Western Area Power Administration

B. Basic terms expressed in common terminology.

1. **Appeal** -- a request to a federal agency asking that it review at a higher administrative level a full denial or partial denial of access to records under the FOIA, or any other FOIA determination such as a matter pertaining to fees.
2. **Average number** -- the number obtained by dividing the sum of a group of numbers by the quantity of numbers in the group. For example, of 3, 7, and 14, the average number is 8.
3. **Complex request** -- FOIA request that an agency using multi-track processing places in a slower track based on the volume and/or complexity of records requested.
4. **Denial** -- an agency decision not to release any part of a record or records in response to a FOIA request because all the information in the requested records is determined by the agency to be exempted under one or more FOIA

exemptions, or for some procedural reason (such as no record is located in response to a FOIA request).

5. **Exemption 3 statute** -- separate federal statute prohibiting the disclosure of a certain type of information and authorizing its withholding under FOIA subsection (b)(3).
6. **Expedited processing** -- an agency will process a FOIA request on an expedited basis when a requester has shown an exceptional need or urgency for the records that warrants prioritization of his or her request over requests that were made earlier.
7. **FOIA/PA request** -- Freedom of Information Act/Privacy Act request. A FOIA request is generally a request for access to records concerning a third party, an organization, or a particular topic of interest. A Privacy Act request is a request for records concerning oneself; such requests are also treated as FOIA requests. (All requests for access to records, regardless of which law is cited by the requester, are included in this report.)
8. **Grant** -- an agency decision to disclose all records under the FOIA.
9. **Initial request** -- request to a federal agency for access to records under the FOIA.
10. **Median number** -- the middle, not average number. For example, of 3, 7, and 14, the median number is 7.
11. **Multi-track processing** -- a system in which simple requests requiring relatively minimal review are placed in one processing track and more voluminous and complex requests are placed in one or more other tracks. Requests in each track are processed on a first-in/first out basis. A requester who has an urgent need for records may request expedited processing.
12. **Nondisclosure** -- an agency procedural reason for not disclosing records, such as “no records exist” or “not an agency record” or “request cancelled.”
13. **Partial grant** -- an agency decision to disclose a record in part in response to a FOIA request, deleting information determined to be exempt under one or more FOIA

exemptions; or a decision to disclose some records in their entirety, but to withhold others in whole or in part.

14. **Processed request or appeal** – a request or appeal for which an agency has taken a final action on the request or the appeal in all respects.
15. **Segregability review** -- the act of reviewing a document, removing portions containing information that cannot be released under FOIA exemption(s), and then releasing the edited document to the requester (See “Partial grant.”)
16. **Simple request** – a FOIA request that an agency using multi-track processing places in its fastest (non-expedited) track based on volume and/or simplicity of records requested.
17. **Time limits** – the time period in the FOIA for an agency to respond to a FOIA request (ordinarily 20 working days from receipt of a proper FOIA request.)

IV. Exemption 3 Statutes.

- A. The Exemption 3 statutes relied on by DOE during the current fiscal year and a brief description of type (s) of information withheld under each statute are, as follows:
 1. National Defense Authorization Act for FY 1997, 41 U.S.C 253 (b)(m). Agency withheld contractor proposals, technical, management, and cost proposals submitted in response to the requirements of a solicitation for a competitive proposal.
 2. Atomic Energy Act of 1954 as amended, 42 U.S.C. 2011 et seq. Agency withheld information that is classified as Restricted Data, Formerly Restricted Data, or Unclassified Controlled Nuclear Information.
 3. Homeland Security Act of 2002, 6 U.S.C. 133. Agency withheld infrastructure information.
 4. National Historic Preservation Act of 1966, 16 U.S.C. 470. Agency withheld cultural resource information.

B. Statement of whether a court has upheld the use of each statute. If so, then cite exemption.

1. Hornbostel vs. Department of Interior, 3505. Supp.2d 21 (DDC 2003)
2. No.
3. No.
4. No.

V. Initial FOIA/PA Access Requests.

A. Numbers of initial requests.

	Number of requests pending as of end of preceding fiscal year	Number of requests received in current year	Number of requests processed in current year	Number of requests pending as of end of current year
NNSA/AL	235	703	756	182
BPA	1	44	40	5
CBFO	0	903	903	0
CH	9	35	42	2
GFO	2	37	37	2
ID	2	117	116	3
NETL	1	31	30	2
NR	1	13	12	2
OH/EMCBC	90	54	139	5
ORO	362	746	990	118
PNSO	1	16	15	2
RL	6	153	141	18
SROO	9	35	32	12
OSTI	0	9	8	1
SEPA	0	1	1	0
SWPA	0	2	2	0
SPR	0	12	12	0
WAPA	2	27	27	2
HQ	189	496	395	290
TOTALS	910	3434	3698	646

B. Disposition of initial requests.

	Number of total grants	Number of partial grants	Number of denials
NNSA/AL	585	26	13
BPA	22	17	0
CBFO	888	8	0
CH	18	7	0
GFO	4	13	11
ID	93	11	3
NETL	10	11	0
NR	4	2	0
ORO	884	19	2
PNSO	15	0	0
EMCBC	121	3	1
RL	62	60	12
SRO	17	7	0
OSTI	6	0	0
SEPA	1	0	0
SWPA	2	0	0
SPR	7	1	1
WAPA	8	9	0
HQ	162	84	9
TOTALS	2909	278	52

Number of times each FOIA exemption used (counting each exemption once per request.

FOIA Exemptions

	1	2	3	4	5	6	7A	7B	7C	7D	7E	7F	8	9
NNSA/AL	1	14	5	2	8	10	0							
BPA	0	2	0	3	8	8	0	0	1	0	0	0	0	0
CBFO	0	1	0	6	0	9	0							
CH	0	0	0	2	0	5	0							
GFO	0	0	11	21	6	10	1	0						
ID	0	4	0	4	5	5	0							
NETL	0	1	0	7	0	3	0							
NR	0	0	1	1	0	0	0	0	0	0	0	0	0	0
ORO	0	2	0	8	0	11	0							
EMCBC	0	0	1	1	1	1	0							
RL	0	5	1	1	10	69	0							
PNSO	0	0	0	0	0	0	0	0	0	0	0	0	0	0

SRO	0	3	0	1	5	4	0	0	0	0	0	0	0
OSTI	0	0	0	0	0	0	0	0	0	0	0	0	0
SEPA	0	0	0	0	0	0	0	0	0	0	0	0	0
SWPA	0	0	0	0	0	0	0	0	0	0	0	0	0
SPR	0	0	0	0	0	2	0	0	0	0	0	0	0
WAPA	0	0	2	5	0	3	0	0	0	0	0	0	0
HQ	3	11	19	30	22	23	1	0	13	1	0	0	0
TOTALS	4	43	40	92	65	163	2	0	14	1	0	0	0

Other reasons for nondisclosure (459).

	No records	Referrals	With-drawn	Fee related reasons	Not reasonably described	Not a proper FOIA request for other reason	Not an agency record	Duplicate	Other
NNSA/AL	98	14	11	0	0	0	0	9	0
BPA	0	1	0	0	0	0	0	0	0
CBFO	0	5	0	0	0	0	2	0	0
CH	10	1	6	0	0	0	0	0	0
GFO	1	3	5	0	0	0	0	0	0
ID	4	2	3	0	0	0	0	0	0
NETL	6	1	1	0	1	0	0	0	0
NR	0	0	2	3	0	0	0	1	0
ORO	24	5	10	6	6	17	9	4	*4
EMCBC	6	2	4	2	0	0	0	0	0
RL	5	0	2	0	0	0	0	0	0
PNSO	0	0	0	0	0	0	0	0	0
SRO	5	0	1	1	0	0	1	0	0
OSTI	0	2	0	0	0	0	0	0	0
SEPA	0	0	0	0	0	0	0	0	0
SWPA	0	0	0	0	0	0	0	0	0
SPR	3	0	0	0	0	0	0	0	0
WAPA	3	0	1	2	0	4	0	0	0
HQ	77	22	37	0	0	0	0	4	0
TOTALS	242	58	83	14	7	21	12	18	4

* Records in the public domain

VI. Appeals of Initial Denials of FOIA/PA Requests.

A.	Number of appeals.	
1.	Number of appeals received during fiscal year	49
2.	Number of appeals processed during fiscal year	51
B.	Disposition of appeals.	
1.	Number completely upheld	8
2.	Number partially reversed	5
3.	Number completely reversed	1
a.	Number of times each FOIA exemption used (counting each exemption once per appeal.)	
(1)	Exemption 1	0
(2)	Exemption 2	0
(3)	Exemption 3	1
(4)	Exemption 4	3
(5)	Exemption 5	8
(6)	Exemption 6	6
(7)	Exemption 7(A)	0
(8)	Exemption 7(B)	0
(9)	Exemption 7(C)	0
(10)	Exemption 7(D)	0
(11)	Exemption 7(E)	0
(12)	Exemption 7(F)	0
(13)	Exemption 8	0
(14)	Exemption 9	0
4.	Other reasons for nondisclosure (total).	37
a.	no responsive records	12
b.	referred to another agency	4
c.	withdrawn/cancelled	12
d.	no agreement to pay fees	1
e.	not reasonably described	0
f.	not a proper FOIA request	1
g.	not an agency record	0
h.	duplicate request	0
i.	other (specify) Search adequate 3: Expedited 1	4

VII. Compliance with Time Limits/Status of Pending Requests.

A. Median processing time for requests processed during the year.

	Simple Requests		Complex Requests		Expedited Processing	
	Number of requests processed	Median number of days to process	Number of requests processed	Median number of days to process	Number of requests granted expedited processing	Median number of days to process
NNSA/AL	756	132	0	0	0	0
BPA	40	17	0	0	0	0
CBFO	901	25	0	0	2	23
CH	42	13	0	0	0	0
GFO	35	22	1	118	1	10
ID	46	11	70	32	0	0
NETL	19	20	11	35	0	0
NR	12	14	0	0	0	0
ORO	958	31	30	286	2	5
EMCBC	139	116	0	0	0	0
RL	141	15	0	0	0	0
PNSO	12	9	3	30	0	0
SRO	32	13	0	0	0	0
OSTI	8	20	0	0	0	0
SEPA	1	3	0	0	0	0
SWPA	2	5	0	0	0	0
SPR	12	3	0	0	0	0
WAPA	27	10	0	0	0	0
HQ	395	45	0	0	0	0
TOTALS	3578		115		5	

B. Status of pending requests.

	Number of requests pending as of end of fiscal year	Median number of days pending
NNSA/AL	182	73
BPA	5	13
CBFO	0	0
CH	2	6
GFO	2	66
ID	3	22
NETL	2	20

NR	2	25
ORO	118	156
EMCBC	5	150
RL	18	9
PNSO	2	24
SRO	12	258
OSTI	1	9
SEPA	0	0
SWPA	0	0
SPR	0	0
WAPA	2	8
HQ	290	203
TOTALS	646	

VIII. Comparison with previous year(s).

D. Other statistics significant to components:

The DOE received 31 requests for expedited treatment and accorded expedited processing to 5.

E. Other narrative statements describing component efforts to improve timeliness of FOIA performance and to make records available to the public (e.g., backlog reduction efforts; specification of average number of hours per processed request; training activities; public availability of new categories of records):

2007 FOIA Accomplishments

Department held the FOIA and Privacy Act Conference for Headquarter, field and contractor personnel in October 2006.

The Department reduced the number of pending cases of requests by 29% from 910 to 646.

IX. Costs/FOIA Staffing.

	Staffing Levels			Total Costs (including staff and all resources)		
	Number of Full Time Personnel	Number of Personnel with Part Time or Occasional FOIA Duties (In Total Work Years)	Total Number of Personnel (In Work Years)	FOIA Processing (Including Appeals) (Estimated)	Litigation Related Activities (Estimated)	Total
NNSA/AL	2	2.00	4.00	\$468,393.00	\$23,600.00	\$491,993.00
BPA	1	.50	1.50	\$92,500.00	0	\$92,500.00
CBFO	1	.50	1.50	\$128,000.00	0	\$128,000.00
CH	1	.23	1.23	\$96,265.00	0	\$96,265.00
GFO	0	2.00	2.00	\$87,550.00	0	\$87,550.00
ID	0	4.75	4.75	\$205,348.00	\$27,000.00	\$232,348.00
NETL	0	2.00	2.00	\$70,000.00	\$5,000.00	\$75,000.00
NR	0	0.15	0.15	\$10,000.00	0	\$10,000.00
ORO	4	3.00	7.00	\$512,836.00	0	\$512,836.00
EMCBC	1	1.20	2.20	\$140,000.00	0	\$140,000.00
RL	1	.90	1.90	\$157,245.00	0	\$157,245.00
PNSO	0	.03	.03	\$4,950.00	0	\$4,950.00
SRO	0	1.44	1.44	\$114,274.00	0	\$114,274.00
OSTI	0	.02	.02	\$3,133.75	0	\$3,133.75
SEPA	0	.02	.02	\$1,500.00	0	\$1,500.00
SWPA	0	.05	.05	\$6,976.00	0	\$6,976.00
SPR	0	.25	.25	\$15,250.00	0	\$15,250.00
WAPA	0	.55	.55	\$40,882.05	0	\$40,882.05
HQ	10	40.36	50.36	\$1,979,931.29	\$71,000.00	\$2,050,931.29
TOTALS	21	59.95	80.95	\$4,135,034.09	\$126,600.00	\$4,261,634.09

X. Fees.

- A. Total amount of fees collected by agency for processing requests. \$15,198.83
- B. Percentage of total costs. .004%

XI. FOIA Regulations (including fee schedule). (optional)

XII. Report on Executive Order 13,392 Implementation

The President issued Executive Order 13,392, entitled "Improving Agency Disclosure of Information," on December 14, 2005. The Executive Order established an approach to administration of the Freedom of Information Act that was "citizen-centered" and "results-oriented." The Executive Order also required each agency to conduct a review of its FOIA operations, to develop an agency-specific plan to improve its administration of the Act, and to report on its progress in meeting the milestones and goals established in its improvement plan.

This report contains the description of the progress made by the Department of Energy (DOE) to implement the milestones and goals of the agency's FOIA Improvement Plan since the last report was provided on February 1, 2007, in the FY 06 FOIA Annual Report. The reporting period for this section addresses implementation activities developed in accordance with the Executive Order and includes progress made from February 1, 2007 to December 31, 2007. An updated report on the deficiencies reported on February 1, 2007, can be found on the DOE FOIA web page at http://management.energy.gov/FOIA/freq_req_docs.htm.

- A. Description of supplementation/modification of agency improvement plan (if applicable).

Not applicable.

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

The Department has met all of the milestones for the reporting period and has no deficiencies to report. In addition, all of the deficiencies that were reported in the FY 06 FOIA Annual Report that required actions subsequent to that report have been completed and those milestones have been satisfied.

In the area of Training, the Department developed material for an online FOIA training course designed to increase the awareness and knowledge of FOIA requirements and responsibilities by DOE employees. Although not included in the agency's FOIA Improvement Plan, the Department also developed training material for a FOIA and Privacy Act course for DOE managers.

In the area of Processing of Requests, Headquarters program offices were required, in accordance with the agency's FOIA Improvement Plan, to develop a plan for processing FOIA requests within their respective offices that conform to the FOIA Procedures Manual. This milestone was met in March 2007.

Finally, in the area of Backlog Reduction, the Department successfully completed its initiative to reduce the number of pending FOIA cases that were more than one year old by 50%. The Department exceeded this goal by 10% and reduced that backlog to 89 cases.

- C. Identification and discussion of any deficiency in meeting milestones (if applicable).

Not applicable.

- D. Additional narrative statement regarding other executive order-related activities (optional).

- E. Concise descriptions of FOIA exemptions.

- (1) classified national defense and foreign relations information;
- (2) internal agency rules and practices;
- (3) prohibited from disclosure by another federal law;
- (4) trade secrets and other confidential business information;
- (5) inter-agency or intra agency communications that are protected by legal privileges;
- (6) information that involves matters of personal privacy;
- (7) records or information compiled for law enforcement purposes, to the extent that the production of those records (A) could reasonably be expected to interfere with enforcement proceedings, (B) would deprive a person of a right to a fair trial or an impartial adjudication, (C) could reasonably be expected to constitute an unwarranted invasion of personal privacy, (D) could reasonably be expected to disclose the identity of a confidential source, (E) would disclose techniques and procedures for law enforcement investigations or prosecutions, or (F) could reasonably be expected to endanger the life or physical safety of any individual;
- (8) information relating to the supervision of financial institutions; and
- (9) geological information on wells.

- F. Additional statistics.

1. Ten Oldest Pending FOIA Requests as of January 1, 2008

Calendar Year	1991	1995	1996	1997	1998	1999			
Requests	Dec 6	Dec 26	Jan 29 Jan 29 Jan 29 Jan 29 Mar 26 Jul 16	Oct 9 Oct 16					

2. Consultations

NOTE: The agency’s tracking system is unable at this time to provide consultation information. Therefore, as allowed in the 16 October 2007 Department of Justice memorandum, *Supplemental guidance for Preparation and Submission of Section XII of Agency Fiscal Year 2007 Annual FOIA Reports*, consultation information is not included in this report.

a.) Number of Consultations Received, Processed, and Pending

Consultations Received From Other Agencies During FY07	Consultations Received From Other Agencies That Were Processed by Your Agency During FY07 (includes those received prior to FY07)	Consultations Received From Other Agencies That Were Pending at Your Agency as of October 1, 2007 (includes those received prior to FY07)
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b.) Ten Oldest Pending Consultations Received From Other Agencies

Using the template provided below, please list in the appropriate column labeled by year, each of your ten oldest pending consultations received from other agencies as of January 1, 2008. Please list each consultation by the date it was received by your agency.

Calendar Year	---	---	---	---	---	---	---	---	---
Consults Received	---	---	---	---	---	---	---	---	---

G. Attachment. Agency Improvement Plan:

The Department of Energy FOIA Improvement Plan for Fiscal Year 2006 and Fiscal Year 2007 is attached.

Department of Energy Report and Agency Improvement Plan For Fiscal Year 2006 and Fiscal Year 2007

The Department of Energy (DOE) has a decentralized Freedom of Information Act (FOIA) program. Requests are processed at DOE Headquarters and field offices. Each of the locations that process FOIA requests has a designated FOIA Officer who processes requests for documents that fall within the jurisdiction of their respective locations. The field FOIA Officers report to the Chief FOIA Officer of the Department about their programs and activities through the Headquarters FOIA Officer, who also reports to the Chief FOIA Officer.

To review the agency's compliance with the requirements of the FOIA, the Chief FOIA Officer established a FOIA Task Force. The Task Force, which was chaired by the Headquarters FOIA Officer, included representatives from the Office of Management, Office of General Counsel, Office of Hearings and Appeals, Office of Security and Safety Performance Assurance, Office of Chief Information Officer, National Nuclear Security Administration (NNSA), NNSA Service Center Albuquerque, and the Oak Ridge Operations Office.

The Task Force reviewed several aspects of the FOIA program to determine the agency's compliance with the statute's requirements. The elements of the FOIA program reviewed at the Department were:

- (1) Agency's processes and practices to assist and inform the public about the FOIA process;
- (2) Agency's policies and practices on availability of public information through websites;
- (3) Agency's administration of the FOIA, including the extent to which requests have not been responded to within the statutory time limits and agency expenditures on equipment; and
- (4) Agency's use of information technology to respond to requests and communications with requesters, practices on expedited processing, and implementation of multi-tracking process.

The review included a survey instrument sent to all FOIA Officers at DOE, interviews with FOIA Officers and program personnel, a review of DOE and other agency websites, and the review of DOE publications and material related to the FOIA. Using these methods the Task Force specifically addressed several process improvement areas of the DOE FOIA program. The process improvement areas were staffing, training, expedited processing, multi-tracking, use of information technology, processing of requests, agency backlog, proactive disclosure of information, overall website improvements, overall tracking capability, electronic FOIA requests, acknowledgement letters, purchase of equipment, and the handling of referrals and consultations.

The Task Force concluded that the DOE FOIA program could be improved by increasing awareness and knowledge of FOIA requirements among DOE program and contractor

personnel; improving the processing of FOIA requests and reducing the agency backlog, improving communications with FOIA requesters; and providing greater consistency in content and presentation on DOE websites about the FOIA program and the type of information available through web sites.

To accomplish these goals, the DOE will focus the agency plan for Fiscal Year 2006 and Fiscal Year 2007 on six improvement areas. These areas are training, processing of requests, communication with requesters, backlog reduction, electronic FOIA requests, and overall web improvements.

Training

GOAL: Develop and implement a FOIA training program to ensure that DOE employees are aware and knowledgeable about the requirements of the FOIA and their responsibilities under the statute. The training program will be available to all DOE employees, but will be targeted to those individuals with FOIA responsibilities.

ACTIONS: To accomplish this goal, the Department will:

- (1) Issue a DOECAST announcement to all DOE employees on FOIA requirements and agency responsibilities. A reminder will be issued annually. (June 2006)
- (2) Develop a presentation on FOIA requirements and responsibilities to be included in the orientation program conducted for all new DOE employees. (September 2006)
- (3) Conduct monthly conference calls with DOE FOIA Officers, convened by the Headquarters FOIA Officer, to discuss the FOIA program, procedures and issues. (July 2006)
- (4) Develop a presentation on FOIA requirements and responsibilities for Headquarters Program Senior managers, to be presented by the Headquarters FOIA Officer. (September 2006)
- (5) Conduct an annual FOIA Training Conference for all Departmental FOIA Officers and DOE and contractor employees with FOIA responsibilities. (November 2006)
- (6) Develop an online FOIA training course for DOE employees. (April 2007)

Processing of Requests

GOAL: The Department will develop standard procedures and instructions for processing FOIA requests to create consistent and timely processing of requests throughout the agency.

ACTIONS: To accomplish this goal, the Department will:

- (1) Develop templates for FOIA responses to requesters that address the elements of a proper FOIA request, fee waivers, expedited processing, and responses withholding information pursuant to a FOIA exemption. The templates will be provided to all DOE FOIA Officers and program staff with FOIA responsibilities. (August 2006)
- (2) Develop a FOIA Procedures Manual for FOIA Officers and program staff with FOIA responsibilities that includes procedures for processing requests, decisions on fee waivers and expedited processing, reviewing documents, segregation of releasable information, and records management requirements. (December 2006)
- (3) Require Headquarters program offices to develop a plan for processing FOIA requests within their respective offices that conforms with and implements the FOIA Procedures Manual. (March 2007)

Communication with Requesters

GOAL: The Department will improve its communications with requesters by developing more consistent responses and creating opportunities for dialogue with requesters about the FOIA program.

ACTIONS: To accomplish this goal, the Department will implement the templates discussed above and will also have DOE FOIA Officers convene FOIA Dialogues with frequent requesters to discuss the DOE FOIA program and procedures and to seek the requesters' views on how to improve the program. (September 2006)

Backlog Reduction

GOAL: The Department will implement an initiative to reduce the number of pending FOIA cases over one year old by 50% by June 2007.

ACTIONS: To accomplish this goal, the Department will:

- (1) Provide monthly reports on pending FOIA cases from the Headquarters FOIA Officer to Headquarters senior program management for their respective offices to ensure greater accountability for case management. (Implemented April 2006)
- (2) Require Headquarters Program offices to provide status reports on pending FOIA cases to Headquarters FOIA Officer every two weeks. (Implemented in April 2006)
- (3) Require record holders in the Field organizations to provide status reports on pending FOIA cases in their respective offices every two weeks to the Field FOIA Officers. (July 2006)

- (4) Allocate additional resources in the Office of Security and Safety Performance to process FOIA cases that involve the review of classified information. (Implemented in February 2006)
- (5) Provide a monthly report from the Headquarters FOIA Officer to the Chief FOIA Officer on the number of FOIA cases pending that are more than a year old. (June 2006)

Receiving Electronic FOIA Requests

GOAL: The Department will develop a standard electronic FOIA form to facilitate the public's ability to submit FOIA requests to the Department, and will develop guidance for FOIA Officers to inform the public about records at each of the DOE locations through the DOE FOIA web sites.

ACTIONS: To accomplish this goal, the Department will:

- (1) Develop a standard FOIA request form that will be used on FOIA web pages maintained by Headquarters and field offices. (October 2006)
- (2) Provide standard information on DOE FOIA web sites on records maintained at DOE sites and to whom requests for information should be submitted. (January 2007)

Overall Web Improvement

GOAL: To provide information to the public on DOE FOIA web sites in a consistent manner.

ACTIONS: To accomplish this goal, the Department will:

- (1) Require all FOIA web sites to provide a link to Headquarters and other field FOIA web pages. (December 2006)
- (2) Require all FOIA web pages to use standard electronic FOIA request form. (December 2006)
- (3) Develop guidance to make information available on FOIA web pages about information available at DOE locations consistent throughout the Department. (January 2007)