



Bureau of Reclamation

Department of the Interior

Chief FOIA Officer Report to the Attorney General

I. Steps Taken to Apply the Presumption of Openness

1. All guidance from OMB, DOJ, and DOI has been sent to all Bureau of Reclamation (Reclamation) FOIA staff for implementation. Additionally,
 - a. An all-employee message from the Secretary was electronically distributed to all staff. Local presentations and briefings have been made in some offices.
 - b. FOIA staff educate and promote openness and the presumption of disclosure to all Reclamation employees who respond to FOIA requests.
 - c. Nearly all Reclamation FOIA staff attended both the 2009 and 2010 ASAP Training Conferences and heard presentations on openness and all FOIA requirements from senior FOIA officials from DOJ, OMB, DOI, and others. Reclamation conducted a separate training session at each conference.

Reclamation has no specific examples of discretionary disclosures made since the new guidelines were issued because Reclamation's policy for a number of years has been to release all records that can be released without harm to the conduct of business.

2. In FY08, Reclamation released records in response to 144 requests (26 partial and 118 full disclosures). In FY09, Reclamation released records in response to 145 requests (21 partial and 124 full disclosures).

II. Steps Taken to Ensure an Effective System for Responding to Requests

Reclamation has a decentralized system in which each region and headquarters has a FOIA Coordinator as a single point of contact for incoming requests. These Coordinators and the Bureau FOIA Officer have responsibility for administering the program, processing and tracking the progress of requests, and responding to requesters.

IT is an integral component of responding to requests. Most FOIA staff are a part of or closely associated with the IT offices in their organizations. Lack of IT support is not an issue in Reclamation.

III. Steps Taken to Increase Proactive Disclosures

Reclamation has not substantially increased the publication of online materials since the new guidelines were issued, as Reclamation has been actively and increasingly posting Web pages



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providing information on projects and topics of public interest for a number of years. Reclamation participates in the DOI Open Government program to publish information on Data.gov and is represented on the DOI Open Government Planning Team.

Innumerable inquiries no longer require a FOIA request because the information is provided to the public via the Web. Most FOIA requests are for records of interest to an individual or particular organization and do not identify areas of broad public interest or what records to proactively post. While a FOIA request occasionally indicates an area of broad public interest, these requests are often met in whole or in part by referral to an existing website. A sample listing of the Reclamation URLs that provide information to the public include the following:

GENERAL RECLAMATION WEBSITES	
Reclamation Library	http://www.usbr.gov/library
Projects & Facilities Database	http://www.usbr.gov/dataweb
Educational Material/Videos	http://www.usbr.gov/pn/about/pub_aff/videos_pub.html
Photograph Database	http://www.usbr.gov/lc/region/g5000/photolab/photostart.cfm
Events and Press Releases	http://www.usbr.gov/newsroom
Information Resources Management Strategic Plan	http://www.usbr.gov/strategic_plan/EGovStratPlan0307.pdf
WEBSITES DISSEMINATING RESEARCH AND DEVELOPMENT INFORMATION TO THE PUBLIC	
Research and Development Office	http://www.usbr.gov/research/
Water Resources Research Laboratory Publications Index	http://www.usbr.gov/pmts/hydraulics_lab/pubs/index.cfm
Water Treatment Engineering & Research Publications	http://www.usbr.gov/pmts/water/publications/index.html
Tracy Fish Facility Research Technical Reports and Data Downloads	http://www.usbr.gov/pmts/tech_services/tracy_research/data/index.html



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Environmental Applications and Research Group	http://www.usbr.gov/pmts/eco_research
Materials Engineering and Research Lab	http://www.usbr.gov/pmts/materials_lab/about/facilities.html
REGIONAL OFFICE WEBSITES	
Annual Operating Plan for Colorado River Reservoirs	http://www.usbr.gov/uc/water/rsvrs/ops/aop/index.html
Aspinall Unit Operations Draft Environmental Impact Statement	http://www.usbr.gov/uc/envdocs/eis/AspinallEIS/index.html
Echo Dam, Weber River Project Summit County, Utah, Proposed Safety of Dams Modification, Environmental Assessment and Finding of No Significant Impact	http://www.usbr.gov/uc/envdocs/ea/echo/index.html
Draft Contract Between the United States and Navajo Nation	http://www.usbr.gov/uc/rm/navajo/pdf/DraftSettlementContract12-21-09.pdf
Navajo-Gallup Water Supply Project Planning Report and Final Environmental Impact Statement	http://www.usbr.gov/uc/envdocs/eis/navgallup/FEIS/index.html
Final Environmental Assessment East Canyon Reservoir Water Intake Structure and Finding of No Significant Impact	http://www.usbr.gov/uc/envdocs/ea/eastCanyon/index.html
Upper Colorado Region Environmental Management System (EMS) Implementation Plan	http://www.usbr.gov/uc/envdocs/reports/EMS/emsfinalv1.pdf
Glen Canyon Dam Adaptive Management Program	http://www.usbr.gov/uc/rm/amp/index.html



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Colorado River Basin Salinity Control Program	http://www.usbr.gov/uc/progact/salinity/index.html
Upper Colorado Region Water Users Roster	http://www.usbr.gov/uc/water/users/roster.pdf
Mid Pacific Region American Recovery and Reinvestment Act (ARRA) 2009 Kiosk	http://www.usbr.gov/mp/ARRA/index.html
Mid Pacific Region Rate Setting Process	http://www.usbr.gov/mp/cvpwaterrates/rate_process/overview.html
Central Valley Operations Reports	http://www.usbr.gov/mp/cvo/
Daily CVP Water Supply Report	http://www.usbr.gov/mp/cvo/vungvari/dayrpt.pdf
Mid Pacific Region News Releases	http://www.usbr.gov/newsroom/newsrelease/regionlist.cfm?region=3&Year=2010
Mid Pacific Region Comment/Review Periods, Public Information and Involvement	http://www.usbr.gov/mp/open_cmt_periods.html
Mid Pacific Region Environmental Documents (NEPA compliance – including drafts for public review and final reports)	http://www.usbr.gov/mp/nepa/index.cfm
Folsom Dam Safety and Flood Damage Reduction Joint Federal Project	http://www.usbr.gov/mp/jfp/index.html
2-Gates Fish Protection Demonstration Project	http://www.usbr.gov/mp/2gates/
Delta-Mendota Canal/California Aqueduct Intertie	http://www.usbr.gov/mp/intertie/
Lake Berryessa Visitor Services Plan	http://www.usbr.gov/mp/berryessa/index.html
Lake Berryessa Concessions Opportunities Prospectus	http://www.usbr.gov/mp/berryessa/prospectus.html



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Lake Berryessa Documents and Forms	http://www.usbr.gov/mp/berryessa/docs_forms/index.html
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IV. Steps Taken to Greater Utilize Technology

1. Yes, Reclamation currently receives requests electronically by email and fax.
2. Not Applicable
3. Yes, Reclamation tracks requests electronically in the DOI electronic FOIA tracking system (EFTS).
4. Not Applicable
5. Yes, Reclamation uses technology such as redaction software.
6. Not Applicable
7. Yes, Reclamation utilizes technology to prepare our FOIA annual report (the DOI EFTS).

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

1. At the end of FY08, Reclamation had 9 backlogged requests; the oldest pending request was 186 days (1/7/2008). At the end of FY09, Reclamation had 15 backlogged requests; the oldest pending request was 373 days (4/7/2008). Although the number of backlogged requests increased between FY08 and FY09, the 10 oldest perfected requests pending at the end of FY08 were completed in FY09. Also, since the Department has determined that a significant backlog equates to more than 50 requests, Reclamation is well within the requirements.

2. The primary reason for the backlog increase was an increase in FOIA requests that were administratively delayed due to litigation that involved the Federal Government and began before the related FOIA request had been answered. These FOIA requests are usually put on hold for long periods of time.

The backlog increase also stemmed from an increase in many large and complex FOIA requests for which it was simply not possible to respond within the legal timeframe. These requests can involve collecting, reviewing, and copying thousands of records. The program staff resources and money available to respond to these requests is limited and frequently requires that the process take longer than the allowed time limit. This often occurs with requests related to



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litigation, since these complex requests often come from law firms in anticipation of litigation. Another reason for the increased backlog at the end of FY09 was the requirement for submitter review on FOIA requests for contracts. Since those requests require additional time for the submitter review and frequently require extra involvement by the program staff and Solicitor's Office, as well as a final notice to the submitter that requires another delay of the release, those contract FOIA requests frequently enter backlog status.

The above reasons are difficult to eliminate since they are inherent in the process. However, regarding the litigation difficulties, Reclamation will continue to work more closely with both the Solicitor's Office and the requesters, since that has resulted in the closure of several of these requests.

3. The Bureau of Reclamation will improve its performance by continuing efforts to improve communication with both requesters and the Solicitor's Office. The Bureau FOIA Officer plans to visit and assist the regional offices that require support. The anticipated DOI computer-based training for FOIA processors will enhance the knowledge and skills of Reclamation FOIA staff. Reclamation also plans to conduct a multi-day meeting and training of all FOIA staff.