

**Department of Transportation
Federal Highway Administration (FHWA)**

**Plan for Increasing the Public Availability
of Information about Agency Operations**

September 30, 2015

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Executive Summary

This plan responds to a March 20, 2015, memorandum from the Department of Transportation General Counsel and Chief Information Officer that requires each Operating Administration to develop a specific action plan for making “in demand” information publicly available on an ongoing basis.

Prior to the issuance of the memorandum, in the past year, FHWA had begun to move toward more numerous proactive disclosures, both as a regular element of the FOIA appeals process, and as a strategy for transparency in FHWA programs and issues that are of current public interest.

In past years, FHWA developed the Policy and Guidance Center, <http://www.fhwa.dot.gov/pgc/>, a website that provides access to FHWA policies regarding the Federal Aid Highway Program, and that includes links to both the Federal Lands Highway Program site at <http://flh.fhwa.dot.gov/>, and the FHWA website containing FHWA legislation, regulations, policy, and guidance at <http://www.fhwa.dot.gov/resources/legsregs/>. In addition, since December 2012 when FHWA formed the Data Governance Advisory Counsel (DGAC), the DGAC has taken an active role in responding to OST and OMB Open Data directives as well as promoting the dissemination of FHWA data. In January 2014, the DGAC released Volume 5 of the Data Governance Plan, which is the FHWA Open Data Action Plan. The DGAC plans to revisit and update Volume 5 in Fiscal Year 2016. Through its biweekly Technical Advisor Meetings and quarterly Advisory Council meetings, the DGAC has greatly improved coordination and communication of data-related issues across all program areas within FHWA. This improvement was obvious when the DGAC compiled the list of open data programs for Volume 4 of the Data Governance Plan, which also was used to comply with the OMB’s Data.gov and Open Data reporting requirements. At the end of Fiscal Year 2015, FHWA completed Volume 4 of the Data Governance Plan, which contains a comprehensive registry of all major FHWA data programs and a draft data dictionary of public and administrative data. FHWA believes that open data is critical to advancing the transportation industry and has worked hard to insure that the policies and procedures governing FHWA data promote and support data transparency and accessibility.

In creating the instant plan for increasing public availability of information about agency operations, FHWA initiated a discussion among a variety of individuals and offices, all of whom have responsibility for certain aspects of FHWA information and may not have been involved in the DGAC. This resulting plan provides a roadmap for improving coordination among these internal stakeholders, increasing the regularity of proactive disclosures in particular areas such as FOIA Logs and frequently requested records, and improving access to information that is already on the FHWA website by adding links to the electronic FOIA reading room.

1.0 Understanding Data in Demand

1.1 Review of Existing Practices

Following are several examples of current releases that have made FHWA more efficient and/or were responsive to a demonstrated need for the information. FHWA will keep this information

current by updating these releases periodically as additional information becomes available based on the frequency of data collection.

The Long-Term Pavement Performance (LTPP) program was established in 1987 to collect pavement performance data as one of the major research areas of the Strategic Highway Research Program (SHRP). In 2014, FHWA introduced InfoPave™ (<http://www.infopave.com>), which is a web-based system that makes it easy for users to tap into the wealth of LTPP pavement data.

In establishing the Strategic Highway Research Program 2 (SHRP2), Congress recognized that developing breakthrough solutions to complex challenges requires both large-scale collaboration and intensive focus. The SHRP2Solutions website (<https://www.fhwa.dot.gov/goshrp2>) was created by FHWA and its partners, the American Association of State Highway Transportation Officials (AASHTO) and the Transportation Research Board (TRB), to provide ready access to the many SHRP2 products and solutions.

The Freight Analysis Framework (FAF) integrates data from a variety of sources to create a comprehensive picture of freight movement among states and major metropolitan areas by all modes of transportation. The FAF website (http://ops.fhwa.dot.gov/FREIGHT/freight_analysis/faf/index.htm) provides users with a wide variety of FAF data products.

Traditionally, FHWA has used regular or periodic reports as a primary mechanism for disseminating data. Through these reports, FHWA not only provides users with access to the data, but also provides a narrative of the analysis results. Some examples are:

- The biennial Condition and Performance (C&P) Report to Congress: <http://www.fhwa.dot.gov/policy/2013cpr/index.cfm>
- Annual Highway Statistics publication: <http://www.fhwa.dot.gov/policyinformation/statistics.cfm>
- Quarterly National Highway Construction Cost Index (NHCCI): <http://www.fhwa.dot.gov/policyinformation/nhcci.cfm>
- Monthly Traffic Volume Trends report: http://www.fhwa.dot.gov/policyinformation/travel_monitoring/tvt.cfm
- Monthly Motor Fuel report: http://www.fhwa.dot.gov/policyinformation/motorfuelhwy_trustfund.cfm

Several FHWA data programs publish data submitted by State DOTs. These data are primarily inventory in nature and cover the extent, use, condition, and performance of the nation's roads and bridges.

- The FHWA Office of Bridge Technology publishes the annual National Bridge Inventory (NBI): <https://www.fhwa.dot.gov/bridge/nbi/ascii.cfm>
- The FHWA Office of Highway Policy Information publishes the annual data from the Highway Performance Monitoring System (HPMS): <http://www.fhwa.dot.gov/policyinformation/hpms/shapefiles.cfm>

The FHWA developed the Policy and Guidance Center, <http://www.fhwa.dot.gov/pgc/>, a website that provides access to FHWA policies regarding the Federal Aid Highway Program.

This website also includes links to the Federal Lands Highway Program site at <http://flh.fhwa.dot.gov/>, and the FHWA website containing FHWA legislation, regulations, policy, and guidance at <http://www.fhwa.dot.gov/resources/legsregs/>. Finally, FHWA posted information on guardrail end terminals in response to multiple FOIA requests on this general topic, and in anticipation of future requests. The posting of this information is believed to have decreased the need for FOIA requests for this information, while increasing the range and depth of information readily available to the public. The link is available at <http://www.fhwa.dot.gov/guardrailsafety/>. FHWA chose to highlight this because it is the most recent large scale proactive disclosure made by FHWA and involves a matter that is of significant public interest. FHWA will keep this information current by adding documents as new developments occur regarding guardrail safety, and verifying on a quarterly basis that documents on this topic are reasonably up to date.

1.2 Improving Current Practices

FHWA has ongoing processes in place for improving current practices. FHWA identifies information/data in demand for posting by regularly reviewing (a) web analytics for its various web pages (this is done by each individual program office); (b) FOIA logs (this is done by the FOIA office); and (c) public, press, and Congressional inquiries to Public Affairs, Governmental Affairs, and program offices. Regarding web analytics, FHWA identifies information/data in demand for posting and the Office of Public Affairs regularly posts FHWA web site statistics on the FHWA Staffnet site for each program office to review. This site is only available to FHWA staff and contains information on FHWA web site use including number of hits, visitors, and downloads. These statistics are available for the entire FHWA website, and for most program offices.

2.0 Meeting Mandatory Posting Requirements

2.1 Congressional Reports

FHWA routinely posts Congressional reports on the relevant program website, as these reports become available.

2.2 Congressional Testimony

Congressional testimony is posted on the OST website at <http://testimony.ost.dot.gov/test/>. FHWA will add a website link in its FOIA Electronic Reading Room so that interested members of the public will more easily locate Congressional testimony relating to FHWA.

2.3 Freedom of Information Act Request Logs

FHWA will post a log of its FOIA requests on at least an annual basis. The FOIA Logs will be posted in the FHWA FOIA Electronic Reading Room under Category 4 – Frequently Requested Records at <http://www.fhwa.dot.gov/foia/err.htm>. FHWA's log of FOIA requests received in Fiscal Year 2015 will be posted by the end of January, 2016.

FHWA will post FOIA Logs for Fiscal Years 2014, 2013 and 2012 by November 1, 2015. In future years, FHWA will post the FOIA Log for each Fiscal Year by the end of the following January.

2.4 Freedom of Information Act Electronic Reading Room

FHWA's process for ensuring that statutorily-mandated FOIA Electronic Reading Room postings are current (four categories, including "frequently requested records") as outlined in U.S.C. §552 includes the following:

- 1) The FOIA Office will complete an annual review of what is already posted in the reading room.
 - 2) The FOIA Office will send an annual reminder to all applicable offices of the types of records that must be included in our Electronic Reading Room along with instructions on how to submit them for inclusion.
 - 3) During the first half of Fiscal Year 2016, the Proactive Disclosures Working Group that generated this plan will ascertain whether there are any categories of opinions and orders in the adjudication of administrative cases that should be posted in the FOIA Reading Room (the 1st requirement Reading Room Category) and will set up a process for ongoing posting of or linking to such materials as applicable.
 - 4) On an annual basis, the FOIA Office and the FHWA Webmaster will coordinate a review by the applicable program offices to ensure that the specific agency policy statements are up-to-date in the Reading Room (the 2nd Reading Room category).
 - 5) On an annual basis, the FHWA FOIA Office and the FHWA Webmaster will (a) coordinate a review by program offices to confirm that manuals and instructions to staff affecting the public (the 3rd Reading Room category) are current versions and that newly developed documents are added; and (b) ensure that all postings that are no longer current will be removed.
 - 6) For records in the 4th category (records frequently requested under FOIA), FHWA will (a) post FOIA Logs for Fiscal years 2014, 2013 and 2012, and thereafter, yearly for the previous Fiscal Year at the end of January of each year; (b) provide a link in the FOIA Reading Room to the records released by the FHWA Headquarters Office of Safety regarding guardrail safety, under most frequently requested records; and (c) provide a link in the FOIA Reading Room to Congressional testimony posted by OST as well as checking and updating this link at least annually.
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3.0 Considering Additional Items for Posting

3.1 Funding and/or Apportionment Tables

FHWA posts funding/apportionment tables and other information in various places on its website and will continue to update this information on an annual basis.

3.2 Correspondence Logs

FHWA has explored the possibility of posting correspondence logs. It has determined that although correspondence logs will not be posted routinely, whenever multiple FOIA requests are received for particular Congressional correspondence, the responsive requests will be posted in the FHWA's Electronic Reading Room.

4.0 Protecting Sensitive Information from Release

FHWA ensures that private, privileged, or other sensitive data (such as information protected by the Privacy Act, the Trade Secrets Act, and other Controlled Unclassified Information (CUI)) is not posted on its websites by using a two-step posting process. First, the program office that proposes to post the information reviews the information to be posted. Second, prior to posting, the FHWA Webmaster does a second check of the information and flags any information that might need to be protected for further review before posting is approved.

5.0 New Initiatives

Following is a description of any new information and/or data releases that will make FHWA more efficient, result in a new disclosure or significantly improve current disclosure, and are responsive to a demonstrated need for the information.

FHWA will (a) post FOIA Logs for Fiscal Years 2014, 2013 and 2012, no later than November 1, 2015; (b) post FOIA Logs for Fiscal Year 2015 by the end of the January 2016, and thereafter will post the FOIA Log for subsequent Fiscal Years by the end of January following the close of the Fiscal Year; (c) provide a link in the FOIA Electronic Reading Room under most frequently requested records, to the records released regarding guardrail safety and posted on the FHWA Safety website; and (d) provide a link on its Electronic Reading Room to the OST website containing Congressional testimony.

6.0 Conclusion

The FHWA Proactive Disclosures Working group, which was formed to address the requirements of the March 20, 2015, DOT memorandum, has built on the FHWA initiatives that already were in progress to increase transparency and improve collaboration on data and information issues. As described above, the Plan provides for several new proactive releases of information, as well as links to assist the public in accessing information that is already available on the FHWA or DOT website. The Working Group will continue to bring FHWA stakeholders together to collaborate on initiatives to promote proactive disclosure of information during the coming year.