



OFFICE *of* GOVERNMENT
INFORMATION SERVICES

Freedom of Information Act Advisory Committee

April 7, 2022

<https://www.archives.gov/ogis/foia-advisory-committee/2020-2022-term/meetings>



Welcome

Trouble with your computer audio on Webex?

Call 888-251-2949

Access code 4802096#

We are also streaming at

<https://www.youtube.com/usnationalarchives>



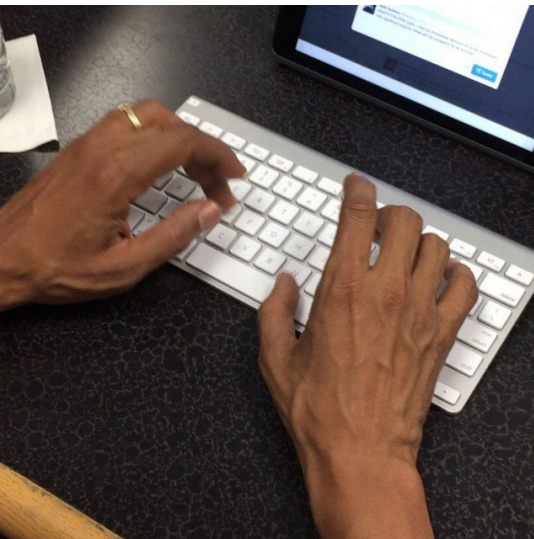
National Archives Identifier 6600730



Welcome

Chat Tip

Chat “All Panelists” otherwise the Committee members/OGIS staff will *not* see your comments.



National Archives Identifier 222097195



Farewell and Thank You

Alina Semo in conversation with the Archivist of the United States – David Ferriero

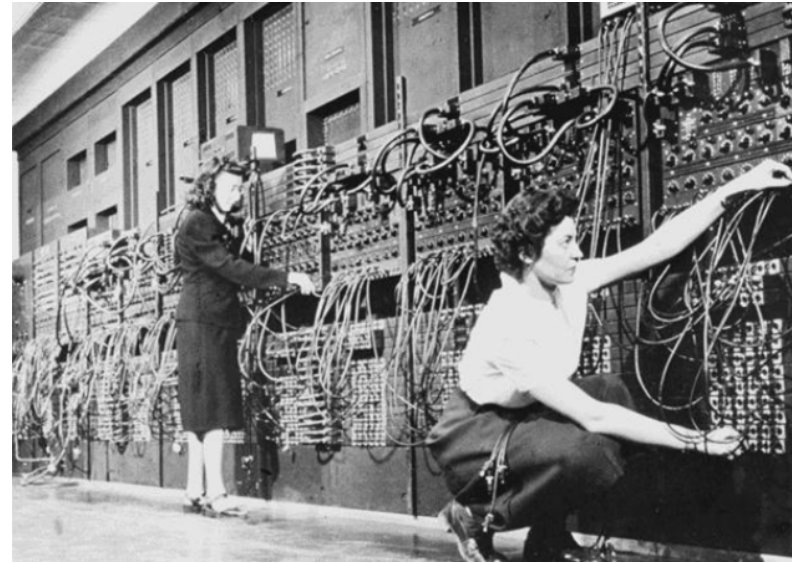


Technology Subcommittee

Allyson Deitrick

Jason Gart

Subcommittee Co-
Chairpersons



National Archives Identifier 594262



Technology Subcommittee: Recommendation #1 (Passed on 3/10/2022)

We recommend that the Archivist work with the Department of Justice's Office of Information Policy to encourage agencies to post a minimum level of information to their websites beyond what is required by the Freedom of Information Act (FOIA), such as the hosting of FOIA reading rooms or electronic libraries.



Technology Subcommittee: Draft Recommendation #2

We recommend that the Archivist ask the Technology Committee of the Chief FOIA Officers Council to establish a working group within two years to determine recommended best practices for the release of records in native format, including metadata. This working group should address how these protocols should work vis-à-vis current practices under 5 U.S.C. § 552(a)(3)(B) and align with NARA Bulletin 2015-04 1 and OIP's guidance on metadata and FOIA.



Technology Subcommittee: Draft Recommendation #3 (Part 1)

Encourage the 508 Compliance and Collaborative Tools Working Group of the Technology Committee of the Chief FOIA Officers Council to continue to research and recommend options for agencies to resolve the inherent conflicts that exist between FOIA's proactive disclosure requirements and Section 508 of the Rehabilitation Act, until a suitable legislative solution is enacted.



Technology Subcommittee: Draft Recommendation #3 (Part 2)

We recommend that FOIA.gov, as well as commercial portals, allow for the full text searching of FOIA logs. Additionally, agencies should proactively publish FOIA logs in the agency's electronic reading room (often referred to as FOIA Libraries) on an ongoing basis, at least quarterly, unless the agency receives 50 or less requests per year, in which case annually or semi-annually would be appropriate.



Process Subcommittee



National Archives Identifier 6011170

Alexis Graves
Michael Morisy
Subcommittee Co-Chairpersons



Process Subcommittee-1st Party Draft Recommendation #1

Records relied on by any agency that affect eligibility for benefits or adversely affects an individual in proceedings should be made automatically available and not require first-person FOIA practice.



Process Subcommittee - 1st Party Draft Recommendation #2

To the extent feasible, agencies should amend any existing regulations, directives, policies, and guidance adversely impacting access for *pro se* parties.



Process Subcommittee - 1st Party Draft Recommendation #3

Agencies that receive frequent first-person requests should identify the most commonly requested records and develop a plan for processing such records that leverages technology and promotes efficiency and good customer service.



Process Subcommittee - 1st Party Draft Recommendation #4

A comprehensive assessment of the Department of Homeland Security (DHS) processes, workforce, and existing technology should be initiated as it relates to A-files responsive to FOIA requests.



OFFICE *of* GOVERNMENT
INFORMATION SERVICES

FOIA Advisory Committee is on a break: back soon!

<https://www.archives.gov/ogis/foia-advisory-committee/2020-2022-term/meetings>



National Archives Identifier 6656626



Legislation Subcommittee



Patricia Weth
Kel McClanahan
Subcommittee Co-
Chairpersons

National Archives Identifier 7820630



Legislation Subcommittee

Reimagining OGIS Recommendations

1. Congress gives OGIS the authority to make binding decisions.
2. Congress gives OGIS the authority to review records *in camera*.
3. Congress directs the federal courts to give extra weight to OGIS decisions.



Legislation Subcommittee

Reimagining OGIS Recommendations

4. Congress creates a direct line-item budget for OGIS.
5. Congress increases OGIS's budget.



Legislation Subcommittee Reimagining OGIS Recommendation

6. The Archivist of the United States commissions a feasibility study, incorporating input from requesters and agencies, to more deeply explore the costs and benefits of these recommendations and refine the proposals to aid Congress in drafting legislation.

7. The Archivist returns OGIS as a direct Report.



Classification Subcommittee



Kristin Ellis
James R. Stocker
Subcommittee Co-
Chairpersons

National Archives Identifier 45641639



FOIA Advisory Committee

Public Comments

<https://www.archives.gov/ogis/foia-advisory-committee/public-comments>



National Archives Identifier 205581775



FOIA Advisory Committee

Mark your calendars!

Next meetings:

Thursday, May 5, 2022

Thursday, June 9, 2022 – final meeting of the 2020-2022 term!



National Archives Identifier 44267671