

**FREEDOM OF INFORMATION ACT (FOIA) ADVISORY COMMITTEE
2018-2020 COMMITTEE TERM
RECOMMENDATIONS**

MAY 4, 2020

Recommendations Directed to the National Archives (NARA)/Office of Government Information Services (OGIS) – U.S. Department of Justice (DOJ)/Office of Information Policy (OIP)

Guidance and Training

Records Management Subcommittee Recommendation 1: Archivist of the United States requests that OIP issue guidance re: including records management-related materials on agency websites and in FOIA handbooks. *Passed 3/5/2020*

Records Management Subcommittee Recommendation 2: Archivist directs NARA and requests OIP to offer Records Management (RM) training to FOIA officers/Public Liaisons. Also include a FOIA module in RM training courses for all federal employees. *Passed 3/5/2020*

Records Management Subcommittee Recommendation 3: Archivist requests that OIP provide best practice guidance on e-discovery tools to help with search. *Passed 3/5/2020*

Time/Volume Subcommittee Recommendation 2: Archivist requests that OIP collect information in Chief FOIA Officer reports regarding standard operating procedures (SOPs) for processing FOIA requests and the FOIA webpage. *Passed 5/1/2020*

Time/Volume Subcommittee Recommendation 3: Archivist requests that OIP issue guidance requesting agencies provide annual mandatory FOIA training; directs OGIS and requests OIP to study agency FOIA training and content; and requests that OGIS ask Congress to appropriate agency FOIA training costs. *Passed 5/1/2020*

Vision Subcommittee Recommendation 2B: Archivist directs OGIS and requests that OIP help agencies establish briefings for senior leaders during changes in leadership/administrations. *Passed 5/1/2020*

Vision Subcommittee Recommendation 2C: Archivist directs OGIS and requests that OIP examine the FOIA performance measures used in their agency performance plans/reports (not individual performance plans) to encourage agencies to include FOIA in their

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performance plans. Further, that OGIS submit results of its assessment and any recommendations to Congress and the President. *Passed 5/1/2020*

Technology

Records Management Subcommittee Recommendation 4: Archivist directs NARA to incorporate FOIA/public access into the Federal Records Electronic Modernization Initiative (FERMI). *Passed 3/5/2020*

Records Management Subcommittee Recommendation 6: Archivist directs NARA and requests OIP to each establish a liaison with the Chief Data Officer Council to ensure FOIA has a voice. *Passed 3/5/2020*

Records Management Subcommittee Recommendation 7: Archivist/NARA works w/ government and industry in promoting research into using artificial intelligence to improve FOIA search and segregation. *Passed 3/5/2020*

Records Management Subcommittee Recommendation 8: Archivist requests that OGIS/OIP together encourage agencies to give access to FOIA-released records in central repository/ies and in standardized ways in addition to on agency websites. *Passed 3/5/2020*

Records Management Subcommittee Recommendation 9: Archivist requests OGIS/OIP together encourage agencies to release FOIA documents in both human-readable and machine-actionable formats to the extent feasible. *Passed 3/5/2020*

Recommendations Directed to Federal Departments and Agencies

Disclosure

Time/Volume Subcommittee Recommendation 6: Archivist requests that agencies provide information on their websites to facilitate FOIA request filing (explanation of process, expected simple and complex wait times, contact info.) *Passed 3/5/2020*

Time/Volume Subcommittee Recommendation 5: Archivist requests that agencies should ensure that existing non-FOIA statutory provisions for information dissemination are robust; also, that the Archivist support agencies in ensuring that

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all federal records are created, retained and managed in electronic format by 12/31/2022. *Passed 5/1/2020*

Process

Time/Volume Subcommittee Recommendation 4: Archivist requests that agencies should identify common categories of frequently requested “first-party” records and seek to establish alternate processes for accessing records that are more efficient than FOIA. *Passed 5/1/2020*

Time/Volume Subcommittee Recommendation 1: Archivist requests that agencies conduct a comprehensive review of their technology and staffing needs to identify resources needed to respond to current FOIA needs and anticipated FOIA demands. Apply results to agency strategic plans. *Passed as Best Practice on 3/5/2020*

Recommendations Directed to the Chief FOIA Officers Council

Vision Subcommittee Recommendation 1: Archivist requests that the Chief FOIA Officers (CFO) Council create a Committee for cross-agency collaboration and innovation to research and propose a grant program and other revenue resources for FOIA programs; review and promote clear career trajectories for FOIA professionals building on the Government Information Specialist (GIS) job series; and explore and recommend models to align agency resources with transparency commitment. *Passed 5/1/2020*

Vision Subcommittee Recommendation 2A: Archivist requests that the CFO Council recommend that agency leadership annually issue a memo reminding the workforce of its responsibilities and obligations under FOIA, and encouraging collaboration with FOIA professionals. *Passed 5/1/2020*

Recommendation Directed to the Council of the Inspectors General on Integrity and Efficiency (CIGIE)

Records Management Subcommittee Recommendation 5: Archivist asks the Chair of the CIGIE that it consider a cross-cutting priority area of how agencies are doing in providing FOIA access to agency records in electronic/digital form. *Passed 3/5/2020*

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Recommendations Directed to Congress

Vision Subcommittee Recommendation 3A: That Congress engage in more regular and robust oversight of FOIA and provide clearer authority and expanded resources to OGIS. *Passed 5/1/2020*

Vision Subcommittee Recommendation 3B: That Congress funds FOIA to ensure that agencies meet legal obligations. *Passed 5/1/2020*

The following recommendation was considered by the Committee on 5/1/2020 and withdrawn from consideration.

Vision Subcommittee Recommendation 3C: That Congress expands FOIA to the legislative and judicial branches.

A Look to the Future

Vision Subcommittee Recommendation 4: The Archivist should continue to take a leadership role in aligning evolving federal data strategy policies with existing FOIA and Federal Records Act statutory frameworks. *Passed 5/1/2020*