

December 4, 2019

To: 2018-2020 FOIA Advisory Committee

From: Time/Volume Subcommittee of the 2018-2020 FOIA Advisory Committee

Re: Proposals for Discussion Purposes Only

The following six recommendations are for discussion purposes only at the public meeting scheduled for December 6, 2019. The names in parentheses note who will present the recommendation at the meeting.

Proposed Recommendation # 1:

Recommend that agencies conduct a comprehensive review of their technological and staffing capabilities and requirements to ensure that they have the resources necessary to respond to changing FOIA needs. This should include planning to address future increases in the number of FOIA requests received, as well as high-volume e-discovery style document reviews. (**Bradley White**)

Proposed Recommendation # 2:

Recommend that agencies periodically review their FOIA SOP, or create one if necessary, to ensure that the process for receiving and logging-in FOIA requests, and the process for searching for, processing, and reviewing records are efficient. The SOP should accurately reflect current agency practices and technology used, should be updated at least every two years, and should be publicly available on the agency's website. (**Bradley White**)

Proposed Recommendation # 3:

Recommend that agencies provide regular training for all staff, including FOIA professionals, subject matter experts, technology professionals, and management/supervisors, responsible for implementing FOIA as a part of the agency's FOIA procedures in order to enable staff to properly and efficiently process FOIA requests. (**Joan Kaminer**)

Proposed Recommendation # 4:

Recommend that agencies identify common types of documents requested as part of FOIA and establish alternative processes for providing these documents to requesters on terms equal to or better than the Freedom of Information Act (FOIA). (**James Stocker**)

Proposed Recommendation # 5:

Recommend that agencies utilize existing statutory provisions that allow for the dissemination of information outside of the FOIA and ensure that the programs that provide such information dissemination are robust. Consistent with the Office of Management and Budget/National Archives and Records Administration Memorandum M-19-21 which requires all federal agencies to digitize their records by December 31, 2022, agencies should provide this information electronically, developing online databases where members of the public may access commonly requested (via the FOIA or alternative statutory provisions) types of documents that go to the heart of the agency's mission, and providing secure online databases where that information contains personally identifiable information or other sensitive information. (**James Stocker**)

Proposed Recommendation # 6:

Recommend enhancing agency transparency by providing, on the agency website, contact information for a FOIA Point of Contact, who may or may not be the FOIA Public Liaison; Commonly Asked Questions that include an explanation of the types of records maintained by the agency; and the estimated processing timeframes for simple and complex requests. (*Emily Creighton*)

DRAFT