



NATIONAL
ARCHIVES



OFFICE of GOVERNMENT
INFORMATION SERVICES

CHIEF FOIA OFFICERS COUNCIL



October 4, 2018

THE FOIA OMBUDSMAN

Improving the FOIA Process





THE ARCHIVIST OF THE UNITED STATES
 Information Act Federal Advisory Committee



NATIONAL ARCHIVES

Final Report and Recommendations
 2016-2018 Committee Term

Alina M. Semo
 Alina M. Semo
 Chair

NATIONAL ARCHIVES AND RECORDS ADMINISTRATION
 2016-2018 FREEDOM OF INFORMATION ACT (FOIA)
 ADVISORY COMMITTEE
 FINAL REPORT AND RECOMMENDATIONS
 April 17, 2018

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NATIONAL ARCHIVES AND RECORDS ADMINISTRATION
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 ADVISORY COMMITTEE
 FINAL REPORT AND RECOMMENDATIONS

COMMITTEE MEMBERS
 Current Members

- Alina M. Semo, Chair, Director, OGIS, NARA
- Michael Bekesha, Attorney, Judicial Watch
- Michael Bell, Deputy Director of the FOIPA Division, HHS
- Stephanie Carr, Chief of the Office of Freedom of Information for the Office of Secretaries of Defense and Joint Staff, Department of Defense
- Mitra Ebadolahi, Border Litigation Project Staff Attorney, American Civil Liberties Union
- Jill Eggleston, FOIA Officer, U.S. Citizenship and Immigration Services, DHS
- James Hershberg, Professor of History and International Affairs, George Washington University
- Nate Jones, FOIA Coordinator, National Security Archive
- Chris Knox, Managing Director, Deloitte Risk & Financial Advisory
- Sarah Kotler, Director of FOIA Division, Food and Drug Administration, HHS
- Margaret Kwoka, Professor, University of Denver Sturm College of Law
- Raynell Lazier, FOIA Manager, Consumer Financial Protection Bureau
- Ginger McCall, Attorney Advisor, DOL
- Sean Moulton, Open Government Program Manager, POGO
- Logan Perel, Attorney Advisor, Office of the Chief Counsel, Foreign Affairs
- David Pritzker, Deputy General Counsel, Administrative Conference of the United States
- Melanie A. Pustay, Director, OIP, DOJ
- Thomas Susman, Director of the Governmental Affairs Office, American Oversight
- James Valvo, Counsel and Senior Policy Advisor, Cause of Action
- Lynn Walsh, President, Society of Professional Journalists





BUCKET #1:

**BEST
PRACTICES -
IMMEDIATELY**



BUCKET #1 – BEST PRACTICES THAT CAN BE IMPLEMENTED RIGHT AWAY

Management of the FOIA Process

- ✓ *Importance of working with requesters early in the process*
- ✓ *Encourage teamwork*
- ✓ *Expanded use of tracks*

Bringing in Talent

- ✓ *Building a career path*
- ✓ *Interns, detailees and contractors*

Using Technology to Improve the Process

- ✓ *Records management/search*

FOIA and Accessibility

- ✓ *Making documents accessible*



BUCKET #2:

**BEST
PRACTICES –
MEDIUM TERM**



BUCKET #2: BEST PRACTICES THAT CAN BE IMPLEMENTED WITH SOME ADDITIONAL WORK

Management of the FOIA Process

- ✓ *Importance of working with requesters early in the process*
- ✓ *Accountability*
- ✓ *Centralization, to the extent possible*

Bringing in Talent

- ✓ *Building a career path*

Proactive Disclosure

- ✓ *Specifically recommended proactive disclosures*

❖ Best Practices: Detailed FOIA Log Recommendations



BUCKET #3:

**BEST
PRACTICES -
LONG-TERM**



BUCKET #3: BEST PRACTICES THAT CAN BE IMPLEMENTED IN THE LONG-TERM

Management of the FOIA Process

- ✓ *Centralization, to the extent possible*
- ✓ *Tracking systems*

Bringing in Talent

- ✓ *Interns, detailees and contractors*

Using Technology to Improve the Process

- ✓ *Records management/search*



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