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National Archives and Records Administration

Freedom of
Information Act
(FOIA):
the original Open
Government law

U.S. FOIA reform 2007

- Dispute resolution
- Customer service
- Executive responsibility

OGIS's Role as FOIA Ombudsman

- Review FOIA compliance, policy and procedures
- Provide mediation services to resolve disputes

FOIA Public Liaison's role

- Work with OGIS to gather facts and facilitate resolution
- Continue to prevent and resolve disputes from within

FOIA Disputes

- Until recently, an adversarial approach
- Lack of good communications

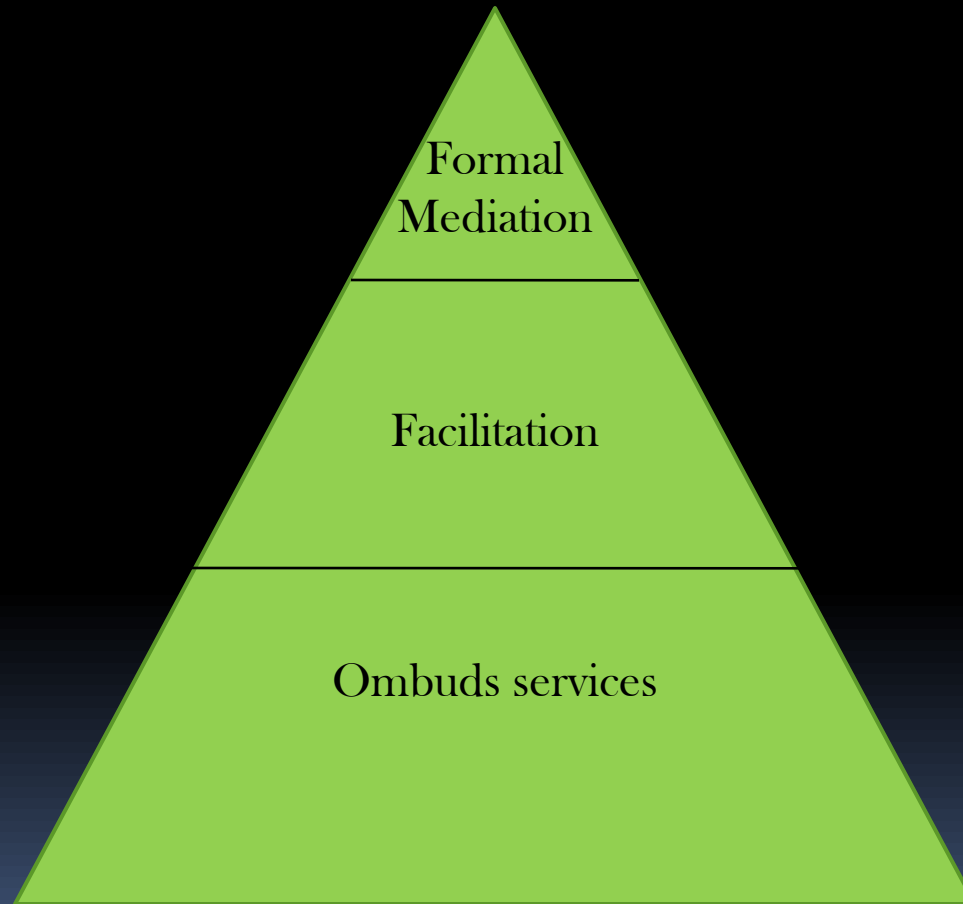
FOIA and ADR

- FOIA disputes are information problems
- ADR provides a framework to gather and share information in a neutral fashion

ADR and the FOIA Process:

- Gather information
- Explore interests behind positions
- Brainstorm options
- Evaluate options
- Build on options to reach agreement
- Consider next steps

OGIS's "Mediation Services"



Dispute Resolution Skills Training for FOIA Professionals

- Equip FOIA professionals to resolve disputes
- Familiarize them with OGIS
- Improve working relationships

FOIA Dispute Resolution Process

1. Conduct fact finding
2. Identify issues
3. Brainstorm options
4. Facilitate resolution
5. Reflect on lessons learned

COAR

Curiosity

Open Questions

Active Listening

Reframing

Measuring OGIS's Impact

- The trouble with metrics
- Defining success
- Measuring culture change

Questions

- How can we measure our success?
- What other services might we offer?
- Will ADR professionals add FOIA to their portfolios?
- What keeps DR folks from working with FOIA folks?

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