National Archives and Records Administration
Freedom of Information Act Advisory Committee Charter

1. **Official Designation**. The name of this advisory committee shall be the Freedom of Information Act Advisory Committee (FOIA Advisory Committee).

2. **Authority**. The National Archives and Records Administration (NARA) established the FOIA Advisory Committee in 2014 pursuant to the second United States Open Government National Action Plan released on December 5, 2013. The Committee operates under the directive in the Freedom of Information Act (FOIA), 5 U.S.C. § 552(h)(2), that the Office of Government Information Services (OGIS) review agency policies, procedures and compliance with the FOIA; and identify procedures and methods for improving compliance with the FOIA. The FOIA Advisory Committee is governed by the provisions of the Federal Advisory Committee Act, 5 U.S.C. App., as amended.

3. **Objectives and Scope.** The objective of the FOIA Advisory Committee is to study the current FOIA landscape across the Executive Branch and to make recommendations to the Archivist of the United States. Specifically, the FOIA Advisory Committee fosters dialogue between the Administration and the requester community, solicits public comments, and develops consensus recommendations for improving FOIA administration and proactive disclosures.

4. **Duties**. The FOIA Advisory Committee serves as a deliberative body to advise the Archivist of the United States on improvements to the administration of the FOIA. The Committee should look broadly at the challenges that agency FOIA programs will face in light of an ever-increasing volume of electronic records and chart a course for how FOIA should operate in the future. The Committee may recommend legislative action, policy changes, or executive action, among other matters. The FOIA Advisory Committee is advisory only.

5. **Official(s) to Whom the Committee Reports**. The FOIA Advisory Committee shall report to the Archivist of the United States.

6. **Support**. NARA's OGIS will provide funding and administrative support for the FOIA Advisory Committee to the extent permitted by law and within existing appropriations.

7. **Estimated Annual Operating Costs and Staff Hours**. The annual operating cost for the FOIA Advisory Committee is estimated to be $90,000 and one full staff year. There will be no compensation for members of the FOIA Advisory Committee. NARA will not provide travel and/or per diem costs.

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8. **Designated Federal Officer (DFO)**. The DFO (or designee) is a full-time or permanent part-time NARA employee, appointed in accordance with agency procedures, and will perform the duties set forth in § 102-3.120 of the FACA Final Rule. The Archivist of the United States shall designate a DFO who shall manage the FOIA Advisory Committee and provide such clerical, administrative, and logistical support as necessary for the FOIA Advisory Committee to effectively conduct its business. The DFO will approve or call all of the FOIA Advisory Committee's and subcommittees' meetings, prepare and approve all meeting agendas, attend all Committee and subcommittee meetings, adjourn any meeting when the DFO determines adjournment to be in the public interest, and chair meetings when directed to do so by the official to whom the advisory committee reports.

9. **Estimated Number and Frequency of Meetings**. In consultation with the Archivist of the United States, the DFO shall hold meetings up to four times per year and may call additional meetings as may be necessary.

10. **Duration**. The need for this FOIA Advisory Committee is continuing.

11. **Termination**. The Charter shall be eligible for renewal every two years.

12. **Membership and Designation**. Committee members represent a wide variety of stakeholders in the FOIA community, inside and outside of government, and have expertise concerning the administration of FOIA across the Executive Branch. The Committee will consist of no more than 20 individuals. Government members of the FOIA Advisory Committee should include, at a minimum, three FOIA professionals from Cabinet-level Departments; three FOIA professionals from non-Cabinet agencies; the Director of the Department of Justice, Office of Information Policy (OIP), or the OIP Director's designee; and the Director of OGIS, or the OGIS Director's designee, who will chair the committee. Non-governmental members of the FOIA Advisory Committee will include, at a minimum, two individuals representing the interests of non-governmental organizations that advocate on FOIA matters; one individual representing the interests of FOIA requesters who qualify for the "all other" FOIA requester fee category; one individual representing the interests of requesters who qualify for the "news media" FOIA requester fee category; one individual representing the interests of requesters who qualify for the "commercial" FOIA requester fee category; one individual representing the interests of historians and history-related organizations; and one individual representing the interests of academia.

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The FOIA Advisory Committee will be composed of Representative members and Regular Government Employees.
The Archivist of the United States shall appoint as Chairperson the Director of OGIS or the Director's designee. If necessary, a Vice Chairperson may be designated annually by members of the FOIA Advisory Committee, in consultation with the Archivist of the United States. The Chairperson is the presiding officer of the FOIA Advisory Committee who guides its efforts to the effective completion of its assigned tasks. The Chairperson shall provide leadership and adhere to the Charter and such other rules of order and operating procedures as the FOIA Advisory Committee may adopt, maintain order, and conduct each meeting in accordance with FACA and the prescribed rules and procedures. The Chairperson is responsible for certifying the accuracy of FOIA Advisory Committee meeting minutes. The Vice Chairperson shall assume and perform the duties of the Chairperson in the event the Chairperson is absent or unavailable.

13. **Subcommittees**. NARA may approve the creation of subcommittees by the FOIA Advisory Committee as necessary to support the Committee's work. The subcommittees report to the full FOIA Advisory Committee. The subcommittee chairperson(s) shall be a Committee member(s).

14. **Recordkeeping**. The records of the FOIA Advisory Committee and any subcommittee(s) shall be handled in accordance with General Records Schedule 6.2, item 10, and any approved NARA agency records disposition schedule. These records shall be available for public inspection and copying, subject to the FOIA, 5 U.S.C. § 552.

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DAVID S. FERRIERO
Archivist of the United States