

To: Statutory Reform Subcommittee, FOIA Advisory Committee
From: Kirsten Mitchell, Committee Designated Federal Officer
Date: February 19, 2026 (updated February 25, 2026 to strike through FOIA log fields Nos. 7 and 15)

A few points as you think about FOIA logs:

- The FOIA statute, <https://www.justice.gov/oip/freedom-information-act-5-usc-552>, is very specific, at 5. U.S.C. § 552(e), about the types of information about FOIA administration that *must* be reported each year.
- The chart, below, shows what information proposed by the Statutory Reform Subcommittee for FOIA logs is required by statute for the Annual FOIA Reports.
- The Office of Information Policy (OIP) in 2021 began asking agencies to submit quarterly reports, <https://www.foia.gov/quarterly.html>, that provide the number of requests received, processed, and in the backlog as well as the status of the agency’s 10 oldest pending requests.
- The chart also includes OGIS’s observations about whether a specific data point is generally maintained in an agency’s FOIA tracking system regardless of platform. These observations come from OGIS’s experience in assessing 15 agency FOIA programs since 2016.
- One thing to know about FOIA technology is that the same platform might have different specifications at different agencies. Also, configuring a platform to run a new or different report can, depending on the contract, require additional cost to the agency.
- As discussed at the February 11, 2026, meeting, the free-text field for request subject can be a minefield, particularly for portals, because there is no restriction on entering personally identifiable information (PII) which has Privacy Act implications. Federal employees who violate the Act can face misdemeanor charges and fines of up to \$5,000.

Statutory Obligations Working Group suggested FOIA log fields:	Required by statute for FOIA Annual Report?	Required for quarterly reporting on FOIA.gov ?	If not required, is the field generally maintained in agency tracking systems?
1) the tracking number of the request,	Number not reported but needed for compiling annual report	Number not reported but needed for compiling quarterly report (requests received, processed, in agency backlog, and status 10 oldest pending requests)	Yes

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2) the date of the request,	Date not reported but needed to calculate data points mandated by 5 U.S.C. §§ 552(e)(1)(C)–(K)	Date not reported but needed for compiling quarterly report	Yes
3) the name of the requester, unless the requester is a first-person requester seeking access to their own information,	No	No	Yes
4) the organizational affiliation of the requester, if identified in the request,	No	No	Yes
5) the subject matter of the request,	No	No	Yes but note that in many agency portals, these are free-text fields in which requesters sometimes put birthdates, Social Security numbers, etc. of themselves or others, a Privacy Act concern.
6) the status of the request,	Status needed to calculate data points mandated by 5 U.S.C. §§ 552(e)(1)(C)–(K)	Status needed for compiling quarterly report	Yes

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7) the date the request was perfected,	No	No	Not always. OGIS has observed some agencies do not log the request at all until it is perfected.
8) the result of the request (if closed),	Yes Required to report information mandated by 5 U.S.C. §§ 552(e)(1)(A), (e)(B)(ii) and (e)(1)(P)	No	Yes
9) exemptions cited, if any,	Yes Required to report information mandated by 5 U.S.C. §§ 552(e)(1)(A) and (e)(B)(ii)	No	Yes
10), the date on which the request was resolved,	Number not reported but needed to calculate data points mandated by 5 U.S.C. §§ 552(e)(1)(C)–(K)	Yes Date itself not reported but needed for compiling quarterly report	Yes
11) the fee category assigned to the request,	No	No	Yes
12) whether a fee waiver was requested,	Yes Required to report as mandated by 5 U.S.C. § 552(e)(1)(M)	No	Yes
13) if a fee waiver was requested, whether it was granted,	Yes Required to report as mandated by 5 U.S.C. § 552(e)(1)(M)	No	Yes

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14) fees charged to the requester, if any, and	Yes Required to report as mandated by 5 U.S.C. § 552(e)(1)(N)	No	Yes
15) whether the request was also processed under the Privacy Act:	No	No	It depends. Varies by agency and type of record.