

**2024-2026 Implementation Subcommittee Final Report and
Recommendations to the 2024-2026 FOIA Advisory Committee
June 05, 2026**

Each term of the FOIA Advisory Committee (“Committee”) ends with recommendations for improving FOIA administration. Five previous terms have provided a total of 67 recommendations for improving the FOIA process, and this term the committee is adding to those numbers. Although the National Archives and Records Administration’s Office of Government Information Services (OGIS) maintains a dashboard that tracks implementation of the recommendations (<https://www.archives.gov/ogis/foia-advisory-committee/dashboard>), the Implementation Subcommittee (“Subcommittee”) wanted to explore ways to increase implementation of open recommendations, including understanding how and why departments and agencies might enact recommendations aimed at improving their FOIA operations and whether there were obstacles preventing implementation of recommendations.

Our Subcommittee proceeded to embark on a barrier analysis project focused on communicating directly with FOIA professionals about their experiences with and understanding of past Committee recommendations. The project centered specifically on Committee recommendations that targeted department and agencies’ direct processing of FOIA requests. In doing so, we excluded recommendations aimed at (a) single agencies; (b) those designed to improve the guidance that oversight agencies, including Department of Justice’s Office of Information Policy (OIP) and OGIS provide to agencies; and (c) those that target improvements to enabling infrastructure or other elements of the larger FOIA enterprise.

Additionally, the Subcommittee reviewed annual Chief FOIA Officer reports submitted to OIP in 2025 and 2026. We also engaged in efforts to categorize open recommendations to improve accessibility and applicability across agencies. These efforts aligned with the original mission of the Subcommittee and have further informed the recommendations made here.

Implementation Subcommittee Mission Statement

As previously stated during an early public meeting of the full Committee this term:

The goal of the 2024-2026 Implementation Subcommittee is to increase the adoption and integration of past FOIA Advisory Committee recommendations. To this end, the Subcommittee seeks to build upon the groundwork and progress made in the last term by the 2022-2024 Implementation Subcommittee. It will review select past

recommendations of the five previous terms of the FOIA Advisory Committee and evaluate their implementation within agencies themselves, focusing on barriers to implementation.

The Subcommittee will focus on recommendations with both the greatest immediate executive branch-wide impact, or impact targeted to specific agencies, considering their practical achievability as well as value to the requester community. In undertaking its efforts, the Subcommittee may use a variety of methodologies, including interviewing agency personnel, conducting surveys to receive input both from agency FOIA staff and interested members of the public, inviting individuals to report to the full FOIA Advisory Committee, and reviewing responses agencies provide in their 2025 Chief FOIA Officer (CFO) Reports. End products might include:

1. Providing a summary of previous work by topic to avoid duplication of efforts in future terms.
2. Communicating with the Archivist, agencies, Congress, the requester community, and the public on effectiveness of recommendations and actions taken, focusing on select recommendations and providing additional guidance and suggested actions.
3. Highlighting examples of positive outcomes to aid and inspire FOIA officers.
4. Making recommendations on improving future communications by OGIS and OIP to agencies, the public, requesters, and the press, to maximize both (i) compliance with existing recommendations, and (ii) the impact of the FOIA Advisory Committee's work in making future recommendations.
5. Fostering dialogue between the Administration and the requester community and soliciting public comments.

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Report of the Barriers Analysis Working Group

Summary: Recommendations

The Implementation Barriers Analysis Working Group, a working group of the Subcommittee, embarked on a focus group study of FOIA professionals to evaluate the obstacles to implementing FOIA Advisory Committee recommendations. The results of the study yielded three actionable recommendations, which will be presented in brief below with justifications based on the data collected. The full discussion of the research and findings will follow.

1. Launch and maintain a FOIA Professionals' Collaboration Network
2. Institutionalize a Committee recommendation implementation status reporting process
3. Develop a Committee recommendation resource

Data Collection Methods

To effectively gather data that could shed light on the central research question, the working group first needed to determine: What barriers prevent agencies from implementing FOIA Advisory Committee recommendations?

- The target audience;
- The best format to elicit information from that target audience;
- What questions participants should be asked;
- What Committee recommendations were in scope;
- How potential participants could best be recruited;
- What information or materials might participants need; and
- Timing of the focus groups

Target Audience

The working group determined the target audience for data collection would be FOIA professionals from federal departments and agencies of all sizes who have visibility on

agencies' decision-making on operational matters. This would enable participants to speak knowledgeably about their agency's efforts to implement Committee recommendations.

The working group determined that it was critically important to ensure the focus group results would represent the wide and varied array of these FOIA professionals' experiences. These included FOIA professionals working in large, mid-size, and small agencies; those working in centralized and decentralized operational structures; those in agencies with large, medium, and small annual FOIA request volumes; and those in early, mid-, and late stages of their FOIA career. The working group also wanted to ensure representation from both FOIA professionals who have actively participated in elements of the larger FOIA enterprise, such as the Chief FOIA Officers' Council, as well as those who had not. The working group determined that participation in the focus groups would include FOIA professionals who possessed an awareness of agency FOIA operations and who had been active in the field within the last three years, including those who had recently retired or moved to a new field.

Format

The working group agreed that the best way to draw out critical information from this audience would be to conduct small-format focus groups, similar to the format used recently with federal FOIA professionals by the Government Accountability Office in their [2024 study](#) of FOIA backlogs. The working group further agreed that ensuring robust confidentiality protections at every step of the process would facilitate participants' ability to share their knowledge, opinions, and observations freely. Each focus group would have both a moderator to ask questions and guide the flow of the conversation and a notetaker to capture the discussion, allowing the moderator to focus on facilitating full participation.

The focus groups would consist of four to five participants, last approximately 60 minutes, and be held virtually to decrease burden on participants and encourage participation. To protect confidentiality, the meetings would not be recorded, and at each group's outset the moderator would explain the ground rules, which included a request for what was discussed in the group to remain within the group. The moderator would also ensure participants were aware that all notes and findings would be presented in a non-attributable manner. To ensure some level of consistency across different focus groups, moderators and notetakers would receive training on shared protocols, as well as a best-practices guide for moderating.

Questions

Although the primary research question was to identify barriers that prevent agencies from implementing Committee recommendations, the working group also wanted to understand agency motivations for implementing Committee recommendations, any methods or approaches that had been successfully used to implement them, and what changes FOIA professionals would like to see in the FOIA landscape. The working group created a list of four questions designed to elicit this information, not only about barriers to implementation, but also motivations, successes, and wish list items. The questions were intentionally designed and ordered to encourage robust conversation and the generation of useful data.

The primary questions asked of focus group participants were:

1. Motivations: Has your agency implemented any of the recommendations outlined on the attached spreadsheet? If so, was doing so in response to FOIA Advisory Committee recommendations?
2. Obstacles: Considering the recommendations your agency hasn't implemented, what are the top barriers to doing so?
3. Successes: Considering any recommendations your agency has implemented, what were some successful strategies you used to put them into action? What didn't work well?
4. Wishlist: What are some decisions, actions, or changes, both within your agency and outside of it, that would be most impactful to the implementation of open FOIA Advisory Committee recommendations?

In-Scope Committee Recommendations

So that focus group participants, moderators, and notetakers would have a shared understanding of what was being discussed, the working group created an agreed-upon list of recommendations considered in-scope for the effort (see Appendix A). To formulate this list, the working group analyzed the full list of the 67 FOIA Advisory Committee recommendations developed since its first term, regardless of their completion status on the OGIS dashboard. As the prior term's Implementation Subcommittee noted in its [final report](#), when a recommendation is for an office such as OIP or OGIS to advise all agencies to take action, the recommendation itself can be considered completed once that advising has taken place, even if the implied underlying action for agencies to take has not yet occurred. For this reason, the working group included this type of recommendation as in-scope. The working group excluded recommendations directed at OIP, OGIS, and other entities that did not have any implied underlying agency actions. The final list of 20 recommendations included those recommendations that directly state agencies should take an action as well as those

recommendations that indirectly imply that agencies should take an action. For each recommendation on the list, the working group added a short, summary statement of the recommendation for quick comprehension, along with the link to the full text of the recommendation. This list became a handout provided in advance to potential focus group participants. Ultimately, the list served as a reference point and guide during the focus group conversations.

Recruitment and Informational Materials

To increase the likelihood of achieving the desired level and breadth of representation, the working group prioritized recruitment and conversion, the transition of potential participants' initial interest into a commitment to participate. Concurrently, the working group collaborated with the Volume and Frequency Subcommittee to find synergies in outreach and avoid overburdening potential respondents.

The working group developed a communications strategy and multi-stage plan to maximize outreach and conversion rates. The communication strategy focused on clearly stating the origin and goals of the project, who could participate, and what participants could expect, including time commitment and confidentiality protections. Communications also emphasized that the effort was not intended to evaluate agency compliance with implementing Committee recommendations but instead to learn about barriers they might be facing in attempting to do so.

To secure as wide a reach as possible, the working group began developing a contact list with a full download of all entries of FOIA professionals from FOIA.gov. The working group then shared it with members of OGIS and the Subcommittee, requesting they add contact information of known FOIA professionals not already on the list. The resulting list contained more than 400 unique email addresses.

Additionally, the working group maximized recruitment efforts by encouraging recipients of the outreach messages to share with FOIA colleagues both within and outside of their agencies, assuring them participation was not limited to one representative per agency. Members of the working group and of the Subcommittee also posted about the call for participation on social media to reach an even broader audience. Working group members requested that OGIS further the outreach message through other channels, such as Chief FOIA Officer Council meetings and other gatherings of FOIA professionals.

The initial communication to potential participants not only needed to engage their possible interest but also to collect contact information and filter for eligibility. To gather input from potential participants, the working group used a simple, three-question information collection tool that was shared with initial respondents to determine

participant eligibility and size of agency, as measured by number of requests received annually (see Appendix B). At no point in the focus group recruitment, establishment, or implementation were participant names or affiliation collected. The information collected by this intake tool enabled the working group to filter out those who did not meet participant requirements and to compose each focus group of individuals from various agency sizes.

With wide outreach and eligibility filtering established, the next challenge was the conversion rate. In the communication following the initial email, the working group prioritized transparency about the process and assurance that protecting participants' confidentiality was paramount. These elements increased the likelihood that recipients would become participants. By making recipients fully aware of what would be involved, including the exact questions to be asked, the format of the focus groups, and the estimated time commitment, coupled with assurances that materials produced during and after the focus groups would be made completely non-attributable, the working group aimed to quell concerns about negative outcomes from participating in a focus group. In addition to the above information, which was included in the second communication where a focus group timeslot was assigned, the working group included an informational flyer that explained the purpose of the effort, intended use of the data, and handling of the information, including confidentiality protections (see Appendix C). Presenting all information to potential participants helped increase the conversion rate on receiving responses by providing them with a level of comfort that they fully understood what would be involved. This transparency also respected internal agency clearance processes likely operative for many potential participants.

Timing

Although planning for the focus group process was precise and robust, situational challenges affected the timing of the data collection. The focus groups were initially delayed in early 2025 due to substantial reductions in force across the federal government. Subcommittee members felt it would not be advisable to try to recruit during such a period of professional upheaval. Then, the Subcommittee intended to recruit for participation and scheduled focus groups during the fall of 2025. However, the federal government shut down from October 1 to November 12, 2025, requiring that all scheduled focus groups be rescheduled. Because it was so close to the holiday season, focus groups and participants were re-recruited and scheduled for January 6 through February 17, 2026.

When the government shut down partially from January 31 to February 3, 2026, focus groups during that time were cancelled, and most potential participants were rescheduled. The third partial government shut down on February 14, 2026, affected

only the Department of Homeland Security. At that time, there was just one focus group left, and the final three final participants joined.

Outcome

The efforts to recruit widely, communicate clearly, and underscore confidentiality protections were fruitful. Despite the impact of reductions in force and government shutdowns, necessitating the rescheduling of every focus group, the working group succeeded in holding 12 focus groups of 52 federal FOIA professionals, representing all sizes of agencies, with participants freely sharing their experiences and valuable insights.

Focus Group Data Analysis

To gather participants' perceptions and experiences while maintaining confidentiality, each focus group engaged a note-taker who was a member of the FOIA Advisory Committee. The focus groups were not audio or video recorded; instead, simultaneous notes were taken. Participants were introduced to notetakers and advised as to what information would be gathered.

After the focus groups ended, those notes were cleared of identifying information, such as participant's name or agency affiliation. Each participant was given an alphanumeric code: the letter corresponded to agency size, and the number was the order in which they signed up to participate. (These numbers became relatively randomized as the participants chose the dates and times for their focus groups.)

The hand-written notes from each focus group were qualitatively coded to establish themes that arose through discussions. The notes were first analyzed in open, structural coding, meaning they were tagged with the concepts and ideas that participants spoke about in responding to each question. The data were later reduced and organized through axial coding, in which the granular subthemes that emerged in open coding were gathered within larger themes. Those larger themes are the resultant findings of the focus group data, and the more granular concepts are the defining and explanatory concepts.

Focus Group Results

The results are also presented here structurally -- organized by the questions asked in the focus groups. However, throughout discussions with participants, there were recurring themes, no matter the group makeup or the questions being discussed. The primary theme that emerged was FOIA professionals' strong desire to connect with others in their field for discovering best practices, engaging in problem solving, and developing camaraderie.

Summative conclusions that appeared across questions were:

- Participants agreed with many Committee recommendations, but internal agency obstacles prevent adoption of them;
- There was a general lack of awareness of Committee recommendations;
- Backlog pressure drives much of the internal decision-making;
- Technology is considered a solution, but some caution that it can also be a volume multiplier;
- Leadership and internal culture overrides process and potential change;
- Structural conditions vary within agencies and can contribute to the inability to increase efficiency or suggest change; and
- Participants would like more community building and networking opportunities to share best practices.

Motivations for Implementing Changes in Agencies

At the outset, the participants were almost unanimous in explaining that the advisory committee's recommendations are not used for proactive change, but instead for supporting existing ideas. They used the Committee recommendations to justify the need for agency resources, or for legitimizing their ideas for change.

They said they often did not know about the Committee recommendations until they read the materials sent with focus group participation invitations. They recommended wider communication of FAC information, including meeting schedules, reports, and recommendations from past and current terms.

Independent motivations for change within agencies included:

- Best practices: These were any efforts that generally would streamline FOIA processes within agencies;
- Efficiency: These were characterized by implementing policies or acquiring technology that would make the response process more efficient;
- Backlog reduction: These were actions that would help either respond to backlog requests or that would specifically focus on responding to requests so that they were closed out;
- Litigation or risk avoidance: These were any efforts that would keep agencies from facing risks for noncompliance with FOIA;
- Leadership priorities: Participants said they would make any changes that aligned with leadership strategy. When leadership supported change, it was more easily adopted; and
- Official guidance: Guidance from OIP was a strong motivation for change.

Although Committee recommendations were rarely the impetus for change, they were used as change agents. Participants said they had successfully used FAC recommendations as leverage to support previously identified needs. They said they used the recommendations to:

- Justify budget requests;
- Secure leadership buy-in;
- Support modernization initiatives;
- Reinforce existing best practices; and
- Gain support for actions that might reduce backlogs.

It is important to note that participants consistently veered from this initial focus group topic to connect with each other, and to discuss technology choices and best practices. Software discussions focused on choosing and acquiring software to improve processing and efficiency. They also considered the potential for AI-assisted review.

While the first question primarily centered on motivations for change within agencies, conversations in the focus groups organically moved toward obstacles to those changes. Participants discussed the need for more funding, staffing and dedicated FOIA personnel to be able to manage backlogs and meet their professional responsibilities. Resource constraints they identified included: small staffs, FOIA as a collateral duty, reductions-in-force, furloughs, and competing priorities that made it difficult to complete responsibilities.

Obstacles to Implementing Change in Agencies

Most participants said that they perceived implementation barriers as structural, rather than procedural. They described their agencies as often in a backlog-driven triage mode. There were five primary obstacles facing participants who had difficulty implementing change in their agencies: resource scarcity, the lack of priority placed on FOIA, risk-averse leadership, bureaucratic constraints, and the rising volume of requests.

Resource Scarcity

The most dominant barrier to change reported was resource scarcity. Participants described the inability to take on any other efforts while struggling with staffing shortages, employee turnover, hiring freezes, insufficient full-time equivalents, and a lack of time when FOIA is a collateral duty. Additionally, they are trying to work within limited budgets that don't allow for extra time or expenditures.

FOIA as Non-Mission Work

Participants said that their work as FOIA professionals and the process itself was deprioritized because it is not directly related to agencies' missions. That lack of prioritization limited the potential for reform within agencies, especially if those efforts would require resources. They said that FOIA work is frequently viewed as administrative, back-office, secondary to agency mission, lacking in leadership support and investment, and a collateral that is not worth dedicated employee time.

Risk-Averse Leadership

Participants said leadership alignment with government transparency was an indicator of whether reform efforts would be supported. Agencies with FOIA professionals who felt empowered showed the potential for proactive engagement. Participants said that leadership members' concerns about potential risks were:

- Public embarrassment, such as concern for the public relations consequences of decisions;
- Fear of redaction errors;
- Reluctance to publish FOIA logs;
- Concern about potential litigation exposure, and defensive positions from an attorney-driven review process; and
- A sense that political sensitivity of decisions was more important than government transparency.

Bureaucratic Constraints

Some internal structures acted as obstacles to change, regardless of the motivation for change from FOIA professionals. Examples of these constraints were procurement delays for software, decentralized systems, multiple review layers, and limited autonomy for FOIA professionals.

Rising volume of requests: The increased volume of requests limits the bandwidth for determining, planning, and carrying out agency changes. Participants also said technology increases request volume faster than agencies can modernize. Participants described certain kinds of requests that were especially burdensome and slowed the response process: mass submissions of requests from one requester or coordinated requesters, broad requests for "all records" during a certain time period, coordinated campaigns from several requesters for the same information, AI-generated (or bot-driven) filings.

Successful Change Strategies Employed by FOIA Professionals

A primary avenue for successful implementation of change within agencies hinged on one factor: leadership support. With leadership agreeing that a potential change was worthwhile, the process was much more effective and efficient. Participants said they tried to develop champions for change ideas within senior leadership. Without leadership support, which was often illustrated as leaders who do not support FOIA, do not understand how it works, or are unwilling to provide resources to efforts that were not mission critical, efforts for change were either impossible or likely to fail.

Therefore, participants described finding ways to frame their suggested agency changes in ways that would encourage leadership support. During the focus groups, the participants shared best practices with each other as much as with the moderator. Their most common suggestions were:

- Use Committee recommendations as justification: They leveraged Committee recommendations to show why potential changes were not only necessary but also supported by outside professionals.
- Frame FOIA as risk management: Participants said that because leadership was generally risk-averse, describing potential changes as ways to mitigate or abate risk proved effective.
- Use metrics and reporting dashboards: Participants said they were more successful at convincing leadership to endorse change when they could use metrics and reporting dashboards to show the need for change or the potential for improvements as a result.
- Show potential benefits of adoption: Showing decision-makers the potential agency improvements was a way to turn the tides toward approval.
- Resource preservation: If participants were able to show how a new idea could preserve scarce resources, like time and funding, they were more likely to garner support for the change.

Other successful strategies, other than seeking leadership support, focused on processes. Some participants said that when they joined forces with other offices, they built systems of internal office coordination that could streamline adoption processes. They said that backlog reduction was a consistent agency priority, so any recommendation that could lead to backlog reduction would be a priority to participants and more likely supported internally. Participants said they were also consistently interested in processes that would streamline and improve their processing, such as standardizing request submissions, centralized intake, or standard operating procedures.

FOIA Professionals' Suggestions for Increasing Agency Efficiency

Focus groups ended with the opportunity for participants to offer their own ideas and suggestions for improving the FOIA process. There were nine primary themes in their responses, and the common throughline among them was a need for increased funding to carry out the FOIA mission.

Staffing

Most participants agreed that increasing staffing levels and having dedicated FOIA personnel was a foundational need. They said they were struggling due to reductions in force, staff turnover, and new collateral duties. They requested an increase in funding to hire more staff members, specifically dedicated, non-collateral FOIA professionals. They said they wanted better preparation for staff turnover and onboarding processes to make sure that coverage is sustained. They said that those making staffing decisions needed a realistic perspective of the workloads current FOIA professionals are carrying in order to provide appropriate staffing support. Participants also said that they would like to see FOIA included in agencies' strategic plans to protect both the function and the need for appropriate staffing.¹

Leadership Culture

Participants said they would like to see a shift from risk-averse leadership to a mission for government transparency. Some of the concerns they expressed were that agencies view records as agency-owned, not as cross-agency resources. They said they see priorities other than transparency being the drivers for agencies' decisions, such as political interference, worry about litigation embarrassment, and a redaction-heavy mentality. They said consistently in most focus groups that they feel that FOIA professionals' views and expertise are not supported, and that the FOIA mission is not valued.

As a result of these concerns, participants said they would like to help leadership to better understand the realities of processing requests with fewer staff members, greater

¹ The 2018-2020 term of the FOIA Advisory Committee passed Recommendation No. 2020-07: "The Office of Government Information Services (OGIS) and the Department of Justice, Office of Information Policy (OIP), will review the FOIA performance measures used in Agency Performance Plans and Reports, encourage agencies to include FOIA in their performance plans and submit the results of their review and any recommendations to Congress and the President." OGIS conducted and published an issue assessment on this topic in September 2022: [OGIS Issue Assessment: The Freedom of Information Act's Inclusion in Agency Performance Plans](#), recommending that federal agencies that receive more than 50 FOIA requests annually should include FOIA in their annual performance plans, and those plans should include specific goals and metrics.

volume of requests, and tight timelines. They would like a clear line of communication between leadership and FOIA professionals, and recognition of FOIA professionals as experts in their work. They would like to see FOIA and/or government transparency to be included in agencies' missions and a cultural shift toward valuing open government.

Improved Technology

Participants said they recognized that technology has great potential for efficiency, but they also see it as a force multiplier for requests. Some ideas they had for using technology to improve FOIA processing included AI-assisted redaction and review, centralized search capabilities, intake filtering for mass submissions or AI-generated submissions, the ability to identify coordinated campaigns and scripted submissions, and automated redaction for frequently requested records. When it came to specific technology requests, they said they would like assistance with case management functionality and downtime issues. They also said the procurement process is difficult to nearly impossible, and they were skeptical of vendors overpromising software performance.

Statutory Reform

Participants supported statutory reform that modernizes FOIA, specifically with a structural redesign that reflects the way FOIA is processed and an addition of clearer legal guidance and definitions. They requested that the FOIA statute be amended to allow longer deadlines for responses as the 20-day deadline is misaligned with the volume of digital requests. A few participants suggested a centralized processing system outside of individual agencies.

Some requests for statutory reform were aimed at overly burdensome requests. They would like fee reform that includes the ability to charge more for especially voluminous or challenging requests. They would like statutory mechanisms to deal with vexatious requests, and they would like to be able to apply limits to broad or vague requests.

Improved Records Management

Participants said that well-organized records systems can pave the way toward more efficient processing of requests. Therefore, they suggested internal agency records management improvements to make records more accessible, better search functions, and clearer records destruction schedules.

Stronger Accountability Mechanisms

Participants said that incorporating ways to keep agencies accountable would also improve the efficient processing of requests. They suggested regular FOIA metrics reporting to senior leadership, and embedding FOIA into agency strategic plans to hold agencies responsible.

Training

Participants appreciated and supported training opportunities, especially when they focused on best practices in responding to complex, voluminous, requests; redaction processes; and backlog reduction. New FOIA professionals said they would appreciate opportunities to access current and previous training (if it is archived) while also connecting with other access professionals.

Community Building

Of great interest among participants was the potential for increased connection and collaboration across agencies. Many who joined the focus groups were more motivated by the chance to connect with other FOIA professionals rather than to discuss implementation of changes. In every focus group, participants were supportive of each other and provided support and advice for best practices. Therefore, participants often offered suggestions for continuing collegial affiliations with one another. They said they would like more FOIA professional networking opportunities, in person, through peer-chat networks, or other ways to connect over social platforms. They also would like more opportunities to collaborate on best practices, including cross-agency knowledge sharing.

Increased Awareness-Building of the FOIA Advisory Committee

Because few participants said they had either heard of the FOIA Advisory Committee or used its recommendations, they suggested greater visibility, clearer messaging, and more public-facing communication about its work. Some suggestions they offered were to develop a standalone, user-friendly website that provides searchable access to Committee recommendations. Suggestions smaller in scale were a “Frequently Asked Questions” page on the existing Committee webpages and more social media outreach.

Participants also suggested publicly sharing context about the Committee and its recommendations. They suggested more content clarifying recommendation rationales, clearer articulation about why recommendations matter, and weighted prioritization of recommendations. They said that to increase awareness, there should be more outreach communicating the value of the Committee to agencies, including specific outreach to

senior leaders. They also thought that DOJ OIP should better disseminate information about the Committee through its channels.

Additional analysis of existing recommendations

Concurrent to the data collection and analysis of the Barrier Analysis Working Group, the Subcommittee members continued the work of the previous term's Implementation Subcommittee in analyzing past recommendations to determine ways to prioritize FAC recommendations to encourage agency adoption. In the preceding term, the 2022-2024 Subcommittee recognized that OGIS and OIP have done commendable work in marshaling limited resources to implement past recommendations. Nevertheless, the 2024-2026 Subcommittee determined that agency compliance or implementation with past recommendations was less than ideal, and systemic problems in the FOIA system are stubbornly intransigent and incapable of resolution through OGIS and OIP efforts alone.

Prioritization Exercise

In an effort to optimize continuing progress, the 2022-2024 Subcommittee identified a subset of 17 past recommendations deserving of priority consideration. In the present 2024–2026 term, our Subcommittee also repeated the exercise of surveying subcommittee members to identify priority considerations. However, the Subcommittee found limited utility in the exercise of further parsing past recommendations. Rather, the Subcommittee found salient our predecessors' observations of the burgeoning number of Committee recommendations and limited agency awareness of recommendations. The learning curve is ever more daunting to familiarize oneself with past Committee recommendations, and the inefficacy is ever more apparent of a list organized by chronology or purported completion status. This would later be reinforced in focus group responses.

Based on these observations, the Subcommittee concluded that reorganized and streamlined compilations of priority action items, transcending specific recommendations, could be a vital tool in the OGIS toolkit to better communicate recommendations to agencies and effect implementation. Further, there is value in identifying for agency FOIA professionals which of the Committee's past recommendations were directed primarily to them and within their authority to act upon, as opposed to direction to Congress, the Archivist, or other entities.

In this vein, the Subcommittee sorted recommendations into categories based on their nature, for example, recommendations related to technology enhancements, and recommendations related to human capital. The Subcommittee then considered the

results of the previous term's prioritization survey and also considered feedback from the barriers analysis focus groups. Informed by these many data sources, the Subcommittee developed examples of user-friendly presentations that might help agencies to think about recommendations in terms of subject-group recommendations, top priorities, and interim goals, rather than a daunting to-do list.

CFO Report Analysis

2025 CFO Reports. Question 12 in the 2025 CFO Reports did not require agencies to work through a specific checklist of specific recommendations or to account for implementation efforts across the board. However, 34 of the agencies listed on the OIP website² submitting 2025 CFO Reports responded in some fashion to Question 12, describing efforts made with respect to representative recommendations. For these agencies, we recorded a cumulative total of 183 references to Committee recommendations in agency responses to Question 12. These consisted of references to 39 distinct recommendations. Only a few agencies expressly stated that they were not familiar with FOIA Advisory Committee recommendations and/or had not implemented any specific recommendations.

2026 CFO Reports. The 2026 CFO Reports³ omitted including a specific question with respect to implementation of past Committee recommendations, we reviewed the 2026 CFO reports for references to the FOIA Advisory Committee and/or its specific recommendations contained anywhere in response to the question set. With respect to the CFO Reports listed on the website, we found:

- Only one express reference to a FOIA Advisory Committee recommendation, consisting of a reference to Recommendation 2022-10 concerning the posting of logs on agency websites.⁴
- Two reports referenced that agency staff were members of the FOIA Advisory Committee, as part of responses to the question at Part II.B.8 regarding agency outreach to the public.
- Three reports stated that members of the FOIA staff at the agency had attended FOIA Advisory Committee members, as part of responses to the FOIA training questions at Part I.A.3 & 4, as well as at Part II.B.8 (outreach).

² See [Chief FOIA Officer Reports 2025](https://www.justice.gov/oip/chief-foia-officer-reports-2025), <https://www.justice.gov/oip/chief-foia-officer-reports-2025>

³ See [Chief FOIA Officer Reports 2026](https://www.justice.gov/oip/chief-foia-officer-reports-2026), <https://www.justice.gov/oip/chief-foia-officer-reports-2026>

⁴ See [2026 CFO Report of the Pension Benefit Guarantee Commission](https://www.pbgc.gov/sites/default/files/documents/pbgc-2026-chief-foia-officer-report.pdf), <https://www.pbgc.gov/sites/default/files/documents/pbgc-2026-chief-foia-officer-report.pdf>

The Subcommittee recognizes that the 2026 CFO reports do elicit generalized information on subjects related to past FOIA Advisory Committee recommendations, including in the areas of training, proactive disclosures, and deployment of newer technologies, even if a direct reference to our Committee's recommendations is absent. Nevertheless, our findings strikingly confirm that CFO reports simply are not as useful in gathering metrics on the implementation of past Committee recommendations in the absence of a question akin to Question 12 in the 2025 CFO Reports.

We believe that requesting agencies to respond to this question serves to inform OIP, OGIS, and the FOIA Advisory Committee of areas for follow up and further study. Moreover, repeating the equivalent of question 12 over successive years will enable better evaluation of the long-term impact of select FOIA Advisory Committee recommendations. We recommend that OIP consider "routinizing" the completion of a similarly worded question in future CFO reports, including, as warranted, providing agencies with a structured checklist of a select number of past Committee recommendations for them to supply comments on.

These findings support the work of the Barriers Analysis Workgroup and its second recommendation regarding the desirability of further inclusion of an equivalent "Question 12" in future CFO reports, as explained below.

III. Recommendations and Justifications

Based on the findings of the Barrier Analysis Working Group data collection and supplemented by additional efforts of implementation analysis by the Subcommittee, the Subcommittee developed the following three recommendations. The draft recommendations were presented at a forum at Sunshine Fest, a March 2026 gathering for open government professionals and advocates, for feedback. The participants said they were supportive of the recommendations.

Each one of the recommendations is presented below with justifications for support.

- 1. To increase collaboration and connection among federal agency FOIA professionals, the Chief FOIA Officers Council's Committee on Cross-Agency Collaboration and Innovation's (COCACI) Resources Working Group, assisted by the Office of Government Information Services (OGIS) and the Office of Information Policy (OIP) as appropriate, should establish a process for creating and maintaining small, self-governing cohorts of federal FOIA professionals interested in collaboration, support, and sharing of best practices.**

- No specific focus group question was aimed at determining a need for FOIA professionals to connect; rather, this finding emerged organically in every focus group. Some evidence of the desire for greater connection, camaraderie, and best-practice sharing includes the following:
 - Focus group participants spontaneously connected, shared contact information and advice (often regarding procurement of software and other assets), and made plans for future collaboration during focus group sessions;
 - Some focus group participants asked that focus groups be continued after the single session planned for this effort; and
 - The call to participate in a focus group received a strong response, and participation rates exceeded expectations. Participants were recruited during an unsettled time in the federal government, facing limited staffing, shifting responsibilities, and complete government shutdowns, and yet they persisted in participating. Every focus group had to be canceled and rescheduled due to the disruptions, and still a high number of participants were willing to join.

- Although some groups and opportunities, such as the Chief FOIA Officer Council's [Technology Committee](#), already exist and serve to connect many FOIA professionals interested in that area, these groups focus on specific topics of discussion. There remains a need for broader, inclusive groups that reach across all professional levels and interest areas that have the goal of increasing connection and collaboration.

- Given its cross-agency collaboration focus, COCACI is well-situated to serve as the central organizing body for this effort because a [resources working group](#) already exists. However, to reduce burden on COCACI members and because trust and mutual support often flourish more easily in smaller groups, the Subcommittee recommends that COCACI's role be simply to coordinate membership in small, self-governing groups, as opposed to overseeing or attending their meetings.

- Ultimately, regardless of whatever organization implements this process for connecting FOIA professionals, the guiding principles behind its design should be simplicity, flexibility, and transferability to maximize the potential for its maintenance and continuation.

- Improving cross-agency collaboration, connection, and communication ultimately will lead to increased recommendation adoption as FOIA professionals facing similar barriers to implementation share information on successful strategies for overcoming them.

2. In an effort to increase the awareness and adoption of FOIA Advisory Committee recommendations, the Department of Justice’s Office of Information Policy should require status reporting from agencies on implementation of recommendations, either through questions in annual Chief FOIA Officer reports or through another appropriate publicly available reporting mechanism.

- Increasing agency awareness of Committee recommendations is arguably the single most important step toward increasing implementation of them.
- Many focus group participants noted that pointing to existing Committee recommendations better equipped them to advocate and provide substantiation for needed changes and resource requests made to agency decisionmakers. This would also provide FOIA professionals an opportunity to collaborate and connect with agencies who have successfully implemented recommendations.
- Increasing agency awareness of recommendations has largely been left to OGIS, which does not have the means or comprehensive reach to ensure all federal agencies’ full awareness of Committee recommendations.
- In response to Committee Recommendation [2024-14](#), the DOJ OIP included in the 2025 Chief FOIA Officer report a question asking agencies to indicate the status of their implementation of Committee recommendations. As stated in our analysis above, the question was not included in the 2026 report, and its inclusion in 2025 yielded useful information. In our view, the large number of responses received to the prior Question 12 demonstrates that agencies were not overburdened by the requirement to provide this information, and we believe its inclusion actively made agency FOIA professionals aware of Committee recommendations.
- Most focus group participants stated they were not aware of Committee recommendations, and they did not make changes within their agencies because of the committee. The few participants who were aware of the

recommendations said they knew about them because of the 2024 Chief FOIA Officers Report or because they were previous members of the Committee.

- Leveraging an existing public reporting mechanism, such as the annual Chief FOIA Officer report, represents a low-cost, low-effort way to reach all agencies, increasing their awareness and implementation of Committee recommendations.
3. **To make recommendations more useful to agency FOIA professionals, the Office of Government Information Services (OGIS) should create a resource for agency use presenting FOIA Advisory Committee recommendations in an easy-to-access manner, enabling FOIA professionals to quickly identify actionable improvements to their FOIA programs.**
- The [FOIA Advisory Committee Recommendations Dashboard](#) that tracks Committee recommendations is useful at measuring completion. However, regardless of completion status, these recommendations can be valuable to FOIA professionals.
 - However, focus group participants said they had difficulty searching for actionable recommendations on the Dashboard. When provided with a smaller list of recommendations specifically culled for applicability to agencies, participants said they found it more realistic and manageable (See example in Appendix A).
 - Further, it is worth noting that agency needs vary, and not every recommendation is relevant to or possible in that particular agency.
 - An agency-focused resource that allows FOIA professionals to easily identify relevant FAC recommendations would increase visibility, usability, and agency adoption.
 - To ease the burden on OGIS, this Subcommittee provides examples of how the recommendations might be categorized for the greatest level of accessibility and applicability by agencies and FOIA Professionals (see Appendix D). The Subcommittee recommends that whatever format OGIS chooses to present the recommendations, the format be designed to be easily

accessed and updated to reflect the new recommendations and categories from each term.

Conclusion

The original mission of this Subcommittee was to explore how to increase the adoption and integration of past FOIA Advisory Committee Recommendations. The Subcommittee approached the challenge of uncovering effective ways to increase recommendation implementation through two complimentary workstreams: 1) conducting a thorough review and consideration of the 67 existing recommendations put forth by prior FOIA Advisory Committee terms and 2) learning directly from agency FOIA professionals through focus groups about the implementation barriers they face and successes they have had. The information gleaned from these efforts is both rich and complex.

The three Implementation Subcommittee recommendations arising from the results of these workstreams represent a partial solution to a multi-faceted problem. Although members of the Subcommittee remain hopeful that these recommendations will ultimately lead to a lowering of the implementation barriers agencies face, it is also clear that advances in additional areas could also serve to increase recommendation adoption.

The Subcommittee urges future members of FOIA Advisory Committee terms to leverage this term's efforts by delving further into the more salient findings that are not addressed by this term's recommendations. Among others, examples include FOIA professionals' suggestions for increasing agency efficiency, such as the need for agency leadership to actively champion a mission of government transparency and a culture of continuous learning and collaboration around FOIA.

Appendix A: Actionable Committee Recommendations

| Recommendation Summary Number | Summary of FOIA Advisory Committee Recommendations (Agency Action in Bold Font) | Recommendation Number with link to full text |
|-------------------------------|---|--|
| 1 | Include FOIA in performance plans: OGIS to review employee performance plans to determine if FOIA compliance is a required element. (see 2020-07) | 2018-07 |
| 2 | Make public FOIA handbook and records management materials: OIP to require agencies to make publicly available both a FOIA handbook and records management materials. | 2020-02 |
| 3 | Make FOIA-released records easily available: Agencies to use centralized, standardized, web-accessible, repositories for FOIA-released records. | 2020-03 |
| 4 | Ensure mandatory annual FOIA training for all employees: OIP to issue guidance requesting annual mandatory FOIA training for all agency employees. | 2020-05 |
| 5 | Include FOIA in agency performance plans: OGIS and OIP to review agency performance plans to determine if FOIA compliance is a required element and encourage its inclusion. (see 2018-07) | 2020-07 |
| 6 | Post machine-readable records: Agencies to post records on their websites in machine readable format. | 2020-12 |
| 7 | Evaluate available resources against FOIA demand: Agencies to evaluate technology and staffing needs required to meet FOIA demands. | 2020-13 |
| 8 | Evaluate access options for first-party requestors: OGIS and OIP request that agencies identify common categories of first-party records and determine alternative, efficient methods for providing access to these records. (see 2022-11 and 2022-13) | 2020-14 |
| 9 | Post frequently requested records: Agencies to proactively provide public access to frequently requested records. | 2020-15 |
| 10 | Agency leadership to issue annual FOIA reminder: CFO Council to recommend that Agency leadership issue an annual memorandum reminding employees of their FOIA responsibilities and highlighting their FOIA resources. | 2020-17 |

| | | |
|----|--|-------------------------|
| 11 | Replace “Glomar” with “Neither Confirm nor Deny” (NCND): OIP to encourage agencies to use "Neither Confirm nor Deny" (NCND) instead of "Glomar," when referencing exemption 1 or related exemptions. | 2022-01 |
| 12 | Post NCND/Glomar guidance: Agencies provide website-accessible guidance about NCND/Glomar on their websites. | 2022-03 |
| 13 | Improve FOIA website pages: OIP to encourage agencies to include FOIA reading rooms and 18 other elements on their FOIA websites and use Federal Web Council standards for their website design. | 2022-07 |
| 14 | Post FOIA logs quarterly: Agencies to post FOIA logs on a quarterly basis. | 2022-10 |
| 15 | Provide non-FOIA/PA process for first-party requests: OIP to recommend that agencies develop a non-FOIA/Privacy Act process that provides efficient access to first-party records. (see 2022-11, 2020-14) | 2022-11 |
| 16 | Provide records access to first-party requestors: Agencies to allow all individuals access to their own records for legal proceedings. | 2022-12 |
| 17 | Improve records access for first-party requestors: Agencies commonly receiving first-person requests to develop an efficient access plan for frequently requested record types. (see 2020-14, 2022-11) | 2022-13 |
| 18 | Identify which Exemption 5 privilege invoked: OIP to issue guidance to agencies to identify Exemption 5 privilege (AWP, ACP, DPP) invoked when claiming exemption 5. | 2023-01 |
| 19 | Expand public engagement activities: Agencies to expand public engagement activities. | 2024-09 |
| 20 | Develop RFIs for AI in FOIA: CFO Council Technology Committee (CFOCTC) and agencies to develop Requests for Information (RFIs) regarding artificial intelligence (AI) tools for FOIA administration. | 2024-12 |

Appendix B: Focus Group Intake Form

FOIA Advisory Committee Focus Groups

This form will allow you to register to participate in focus groups that will explore obstacles to implementing changes to the FOIA response process.

* Required

1. In the past three years, have you responded to FOIA requests, or overseen the response to them, as part of your work duties? *

- Yes
- No
- Other

2. Are you aware of or have you participated in the process to determine best practices for an agency when responding to FOIA requests? *

- Yes
- No
- Other

3. In the agency for which you most recently worked, what was the estimated number of requests per year? *

- 1 to 50
- 51 to 5,000
- 5,001 to 25,000
- 25,001 to 99,999
- 100,000 or more

4. Please provide your email address for scheduling correspondence. *

Appendix C: Recruitment informational Flyer

FOIA Focus Groups

Research participation

Frequently asked questions



What is this research about?

As members of the federal Freedom of Information Act Advisory Committee, we are learning about the challenges and obstacles FOIA professionals face when implementing new ideas for processing requests. The committee makes recommendations each year, and we want to make sure they are actionable.

How are you collecting information?

We are inviting FOIA professionals to participate in focus groups to talk about experiences and practical solutions for the FOIA community. We will not be recording identities or affiliations; only gathering participants' thoughts and ideas. Participation is completely voluntary, and focus group participants don't have to answer every question. They can also stop participating at any time.

What will I get for participating?

Your input will help us propose solutions that make sense. The risks are minimal, like the risks in any conversation about FOIA processes. We are sensitive to the need to keep identities and affiliations confidential. You will not be paid for your participation, but you will have the team's gratitude for learning more about your important work. You will also have a great opportunity to network and share ideas with other FOIA professionals who care about transparency as much as you do.

What are you going to do with the information?

The committee makes recommendations to improve FOIA efficiency. We will share the information we gather with the committee to help us better understand what FOIA professionals face when considering new processes so that any recommendation we make is realistic. The committee will also present a final report so that others can learn from this process, too. Most importantly, any information we gather and the publication of it will be unattributed.

What do I do to get started?

You can register to participate in a focus group using the link provided. Before the focus group begins, the hosts will make sure you are comfortable with the process. You will have time to ask more questions before we begin.

How do I get more information?

Contact any of the team members below with any questions you may have. For more information about the FOIA Advisory Committee, check out the website here: <https://www.archives.gov/ogis/foia-advisory-committee>

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Appendix D: Suggested Recommendation Categorization

The following appendix is intended to function as an additional resource for agency FOIA agency staff to use in connection with their efforts to implement past FOIA Advisory Council recommendations. This document consists of recommendations previously culled for use in the focus groups, now grouped by four topic areas, and supplemented by additional recommendations of the FOIA Advisory Committee that correspond to those four topics (in italics).

Please note: While the additional recommendations in italics were originally directed to DOJ’s Office of Information Policy (OIP), we believe that agencies may consider whether to implement these “best practice” recommendations on their own initiative.

1) Improve agency FOIA websites and online interactivity

| | | |
|---------------------------|-------------------------|---|
| 2020-2022 | 2022-10 | Agencies post FOIA logs quarterly as structured data (CSV, etc.) |
| 2018-2020 | 2020-03 | Agencies should use one centralized platform for their agency (e.g., FOIA.gov). |
| 2018-2020 | 2020-02 | Require agencies to post records-management handbooks and other materials |
| 2018-2020 | 2020-12 | Post data that is machine readable (structured - CSV, etc.). |
| 2020-2022 | 2022-07 | OIP encourage agencies to include FOIA reading rooms on website |

2) Aid search and redaction through technology

| | | |
|---------------------------|-------------------------|--|
| 2022-2024 | 2024-12 | CFO council and agencies to develop RFIs on agency application of AI to FOIA |
| 2018-2020 | 2020-13 | Agencies review tech/staff resources in two years, identify needs. |
| 2018-2020 | 2020-11 | <i>OIP should provide guidance on e-discovery tools for searches.</i> |
| | | |

3) Remove first-person requests from FOIA

| | | |
|---------------------------|-------------------------|--|
| 2018-2020 | 2020-15 | Agencies shift out of FOIA commonly requested records. |
|---------------------------|-------------------------|--|

| | | |
|---------------------------|-------------------------|---|
| 2020-2022 | 2022-12 | Allow anyone access to own records for proceedings, without lawyer |
| 2020-2022 | 2022-13 | Agencies identify most requested first-person requests and develop plan |
| 2020-2022 | 2022-14 | DHS find alternatives to dissemination of A-Files. |
| 2020-2022 | 2022-11 | Shift from FOIA first-party records needed for benefits or proceedings. |
| 2018-2020 | 2020-14 | Agencies shift out of FOIA common first-party records (and A-Files) |

4) Nurture a culture of transparency

| | | |
|---------------------------|-------------------------|--|
| 2020-2022 | 2022-03 | Agencies provide information about Glomar on their websites. |
| 2020-2022 | 2022-01 | Use "Neither confirm nor deny" instead of Glomar. |
| 2018-2020 | 2020-07 | Agencies should include FOIA in their performance plans. |
| 2018-2020 | 2020-05 | Mandatory FOIA training for all agency employees. |
| 2022-2024 | 2023-01 | Exemption 5 subparts expressly referenced (AC, WP, DP) |
| 2016-2018 | 2018-07 | Performance standards included in all employee appraisals. |
| 2018-2020 | 2020-17 | Agency leaders should send annual FOIA reminder to employees. |
| 2022-2024 | 2024-09 | Agencies should expand public engagement activities |
| 2022-2024 | 2023-01 | <i>DOJ/OIP should issue guidance stating that when agencies use FOIA Exemption 5 to withhold information they should label the corresponding privilege(s) invoked with redactions.</i> |
| 2022-2024 | 2024-01 | <i>DOJ/OIP should publish the Committee's draft model determination letter as a best practices reference for agencies.</i> |
| 2022-2024 | 2024-02 | <i>DOJ/OIP should issue guidance encouraging agencies to proactively offer requesters the opportunity to discuss their request with an agency representative.</i> |
| 2022-2024 | 2024-03 | <i>DOJ/OIP should issue guidance encouraging agencies to provide requesters an interim response consisting of a small sample of documents.</i> |