



OFFICE *of* GOVERNMENT  
INFORMATION SERVICES

# Freedom of Information Act (FOIA) Advisory Committee

March 5, 2024

<https://www.archives.gov/ogis/foia-advisory-committee/2022-2024-term>



# Deputy Archivist Welcome



William J. Bosanko

Deputy Archivist of the  
United States



# Welcome and Updates

**Alina M. Semo**

**Director, Office of Government  
Information Services  
and Chairperson,  
FOIA Advisory Committee**





# Housekeeping



Use Webex chat for housekeeping and procedural matters only. Please submit substantive comments to: [archives.gov/ogis/public-comments](https://archives.gov/ogis/public-comments)



The YouTube chat function is not on. Please submit comments to: [archives.gov/ogis/public-comments](https://archives.gov/ogis/public-comments)



Oral public comments will be heard at the end of today's meeting.



The meeting will be recorded and posted online at: [archives.gov/ogis/foia-advisory-committee/2022-2024-term](https://archives.gov/ogis/foia-advisory-committee/2022-2024-term)



The meeting will start at 10:00 a.m. and end at 1:00 p.m. ET.



# Designated Federal Officer reminders

## Bylaws: Article 7. Records

- Committee members must copy DFO on all Committee and Subcommittee emails to simplify record keeping [foia-advisory-committee@nara.gov](mailto:foia-advisory-committee@nara.gov)
- NARA's General Records Schedule 6.2: Committee and Subcommittee records are permanent  
[www.archives.gov/files/records-mgmt/grs/grs06-2.pdf](http://www.archives.gov/files/records-mgmt/grs/grs06-2.pdf)



# Designated Federal Officer reminders

## Bylaws: Article 5. Voting

- Any Committee member, including the Chairperson, may move that the Committee vote
- No second required (but is habit)
- Three types of passing votes:
  - Unanimous: every member (except abstentions)
  - General Consensus: at least 2/3 of total votes cast
  - General Majority: majority of the total votes cast



# Resources Subcommittee

Paul Chalmers (co-chair)  
Gbemende Johnson (co-chair)  
Carmen Collins  
Lauren Harper  
Michael Heise  
Stefanie Jewett  
Eira Tansey  
Patricia Weth



National Archives Identifier 83228981



# Draft Recommendation R-1

We recommend that the Department of Justice (DOJ), Office of Information Policy (OIP), issue guidance to all Chief FOIA Officers outlining minimum requirements for training to agency staff, including non-FOIA professionals, outlining the requirements of Section (j)(2)(F) of the FOIA which states: “The Chief FOIA Officer shall offer training to agency staff regarding their responsibilities under this section.” Suggested guidance should include:

- Mandatory annual FOIA training for non-FOIA professionals in the federal government; and
- Mandatory FOIA training for all new employees, including non-FOIA professionals, within 60 days of onboarding





# Draft Recommendation R-2

We recommend that the Office of Personnel Management (OPM) add the 0306 Government Information Specialist (GIS) Job Series to the direct hiring authority list.



# Draft Recommendation R-3

We recommend that the Chief FOIA Officers Council, through its Committee on Cross-Agency Collaboration and Innovation (COCACI) organize agencies to participate in a “talent pool” posting through the Office of Personnel Management (OPM).



# Draft Recommendation R-4

We recommend that the Chief FOIA Officers Council, through its Committee on Cross-Agency Collaboration and Innovation (COCACI), create and maintain a database on its website of position descriptions in the Government Information Specialist (GIS) job series at various grades.



# Draft Recommendation R-5

We recommend that the General Services Administration (GSA) create a labor category on the GSA schedule specifically for FOIA contractors to facilitate efficient procurement if an agency determines it needs contractor support.



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# FOIA Advisory Committee is on a break: back soon!

[archives.gov/ogis/foia-advisory-committee/2022-2024-term](https://www.archives.gov/ogis/foia-advisory-committee/2022-2024-term)



National Archives Identifier 6656626



# Implementation Subcommittee



National Archives Identifier 24472221

David Cuillier (co-chair)  
Michael Heise (co-chair)  
Jason R. Baron  
Lauren Harper  
Alexander Howard  
Luke Nichter  
Catrina Pavlik-Keenan  
Tom Susman  
Benjamin Tingo  
Patricia Weth



# Draft Recommendation I-1

We recommend that the Office of Government Information Services and the Office of Information Policy follow up with selected agencies and the government components in an effort to increase compliance with past recommendations of the FOIA Advisory Committee.



# Draft Recommendation I-1 (cont'd)

## Select Examples of Recommendations Proposed for Review:

- **2020-03** - FOIA-released records in repositories/websites
- **2020-11** - Office of Information Policy guidance on use of e-discovery tools
- **2020-17** - Annual FOIA memo from agency leaders
- **2020-22** - Archivist of the United States promotion of AI use in FOIA
- **2022-10** - Searchable online FOIA logs





# Draft Recommendation I-2

We recommend that the Office of Information Policy (OIP) should include one or more specific questions in annual Chief FOIA Officer reports requesting agencies to report on activities that they have implemented consistent with selected FOIA Advisory Committee recommendations.



# Modernization Subcommittee



National Archives Identifier 17444711

Jason R. Baron (co-chair)  
Gorka Garcia-Malene (co-chair)  
Allyson Deitrick  
Michael Heise  
Alexander Howard  
Adam Marshall  
Luke Nichter  
Tom Susman  
Benjamin Tingo



# Draft Recommendation M-1

We recommend that the Office of Information Policy (OIP) issue guidance to federal agencies stating that agencies should proactively offer requesters the opportunity to discuss their request with an agency representative.



# Draft Recommendation M-2

We recommend that the Office of Information Policy (OIP) issue guidance to federal agencies encouraging the option of providing requesters an interim response consisting of a small sample of documents found as the result of searches conducted and subsequently reviewed for partial or full withholding.



# Draft Recommendation M-3

We recommend that federal agencies expand public engagement activities focused on improving all aspects of their FOIA process.



# Draft Recommendation M-4

We recommend that the Archivist propose to the Office of Management and Budget (OMB), the Office of Information Policy (OIP), and other agency participants taking a leading role in future U.S. National Action Plans for Open Government that they include new and continuing commitments to improving FOIA administration.



# Draft Recommendation M-5

We recommend that the Chief FOIA Officers Council Technology Committee and interested agencies publish requests for information (RFIs) on the subject of artificial intelligence (AI) tools and techniques as an aid to FOIA processing.



# Proposed Recommendation M-6

The Department of Justice (DOJ) Office of Information Policy (OIP) should issue a draft model determination letter written and endorsed by the FOIA Advisory Committee as a best practice reference for agencies.





# FOIA Advisory Committee

## Public Comments

<https://www.archives.gov/ogis/foia-advisory-committee/public-comments>



National Archives Identifier 205581775



# FOIA Advisory Committee



Mark your calendars!

The next meeting of the 2022-2024 term is

**Thursday, April 4, 2024**

National Archives Identifier 44267671