



ALL PANELIST CHAT

TO

JUNE 9, 2022 FOIA ADVISORY COMMITTEE MEETING

OGIS & DOJ OIP FUNDING + MISSING FOIA.GOV DATA

PUBLIC COMMENT

JUNE 9, 2022

by Robert Hammond
foiacompliance@gmail.com

PREFACE

During the June 9, 2022 final meeting of the 2020 to 2022 FOIA Advisory Committee Meeting, I asked to have two questions read aloud and answered.

- I asked DOJ OIP and OGIS to identify in this meeting the dollar funding level needed for FY 2023 to effectively perform all their statutory missions. OGIS is likely underfunded ten to twenty-fold as is DOJ OIP. FOIA compliance oversight and mediation are therefore non-existent.**
- I asked DOJ (Vanita Gupta) and NARA (Debra Wall) to address NARA FY 22 first quarter and second quarter FOIA.gov missing data.**

The question regarding OGIS and DOJ OIP funding levels is a repeat from the May 5, 2022 meeting wherein the moderator refused to read the question. Nevertheless, I asked the question in oral comments to be addressed at the June 9, 2022 FOIA Advisory Committee meeting, which neither OGIS nor DOJ OIP did. Prior to the meeting, I sent multiple emails asking to have the funding levels addressed at the June 9, 2022 meeting.

Nevertheless, the moderator again refused to read my questions, which I entered multiple times into the all-panelist chat window and YouTube live stream Top Chat. The moderator repeatedly said (errantly) there were no questions either in the all-panelist comments or YouTube Comments. One panelist asked that the DOJ OIP and OGIS funding question be read aloud, which the moderator then did, but neither OGIS nor DOJ OIP answered this basic question.

As to missing NARA FY 2022 first and second quarter FOIA data in FOIA.gov, this may indicate false FOIA reporting or manipulation of data subsequent to my unanswered expedited FOIA request seeking NARA's FY 22 year-to-date "Operational" FOIA processing log

**ALL PANELIST CHAT
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from Kirsten Mitchell to all attendees: 10:02 AM

Welcome! Here is today's agenda:

<https://www.archives.gov/ogis/foia-advisory-committee/2020-2022-term/foiaac-mtg-agenda-2022-06-09>

from ROBERT HAMMOND to all panelists: 10:09 AM

Question. DOJ and NARA please address the NARA missing Q1 and Q2 FOIA data within FOIA.gov.

from ROBERT HAMMOND to all panelists: 10:10 AM

When I sought estimated completion dates to FOIA requests and appeals to NARA via confirmed electronic means, NARA's initial response omitted several hundred.

from ROBERT HAMMOND to all panelists: 10:10 AM

I complained about potential material inaccuracy, therefore, of NARA's quarterly and annual FOIA reports may be inaccurate, along with the data in DOJ's FOIA.gov.

from ROBERT HAMMOND to all panelists: 10:10 AM

I attempted to preserve NARA's FY 2022 Quarterly FOIA Report data documented in FOIA.gov.

from ROBERT HAMMOND to all panelists: 10:11 AM

My search results from FOIA.gov for the first quarter and separate search for the second quarter NARA data yielded the response: "No data meets your search criteria."

from ROBERT HAMMOND to all panelists: 10:11 AM

I ran a similar query for DOJ to ensure that it wasn't a bug in FOIA.gov, which returned full results for DOJ.

from ROBERT HAMMOND to all panelists: 10:11 AM

I asked DOJ (Vanita Gupta) and NARA (Debra Wall) to address this FOIA.gov missing data issue today.

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from ROBERT HAMMOND to all panelists: 10:11 AM

There may be an immediately apparent reasonable explanation to missing FOIA.gov data; else DOJ should preserve all NARA FOIA.gov FY 22 data submissions/deletions and commence an audit.

from ROBERT HAMMOND to all panelists: 10:11 AM

Question. DOJ and NARA please address the NARA missing Q1 and Q2 FOIA data within FOIA.gov.

from ROBERT HAMMOND to all panelists: 10:11 AM

I submitted multiple expedited FOIA Requests seeking NARA's "Operational" FOIA logs for multiple years.

from ROBERT HAMMOND to all panelists: 10:12 AM

It is not clear why NARA cannot give me the FY 21 FOIA processing log until June 2023 (when NARA's FY 17 FOIA processing log is promised for this month.

from ROBERT HAMMOND to all panelists: 10:12 AM

or why NARA has not given me an estimated completion date for NARA's FY 22 year-to-date FOIA processing log.

from Kirsten Mitchell to all attendees: 10:12 AM

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

from ROBERT HAMMOND to all panelists: 10:12 AM

I asked DOJ OIP and OGIS to identify in this meeting the dollar funding level needed for FY 2023 to effectively perform all their statutory missions. OGIS is likely underfunded ten to twenty-fold.

from ROBERT HAMMOND to all panelists: 10:15 AM

Posting should be mandatory and should be implemented immediately. DOJ OIP should add this to their requirements.

from ROBERT HAMMOND to all panelists: 10:15 AM

Agencies can post in whatever format they have them.

from ROBERT HAMMOND to all panelists: 10:15 AM

**ALL PANELIST CHAT
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You are just clarifying the last recommendation.

from ROBERT HAMMOND to all panelists: 10:18 AM

I asked DOJ OIP and OGIS to identify in this meeting the dollar funding level needed for FY 2023 to effectively perform all their statutory missions. OGIS is likely underfunded ten to twenty-fold.

from ROBERT HAMMOND to all panelists: 10:27 AM

I asked DOJ (Vanita Gupta) and NARA (Debra Wall) to address this FOIA.gov missing data issue today.

from ROBERT HAMMOND to all panelists: 10:27 AM

I asked DOJ OIP and OGIS to identify in this meeting the dollar funding level needed for FY 2023 to effectively perform all their statutory missions. OGIS is likely underfunded ten to twenty-fold.

from ROBERT HAMMOND to all panelists: 10:36 AM

Pls announce. ALL. If you have a passion for improving FOIA and want to join with extraordinary leaders in the field, please consider nominating yourself for the next term of the FOIA Advisory Committee.

from ROBERT HAMMOND to all panelists: 10:36 AM

Freedom of Information Act (FOIA) Advisory Committee | National Archives

from Kel McClanahan to all attendees: 10:41 AM

on p. 21, insert the following before "The Committee approved." "Our recommendation also envisions appellate status as being part of the status of the request in section (g), which we do not believe was part of the previous recommendation."

from ROBERT HAMMOND to all panelists: 10:45 AM

Appeals must be in a FOIA processing log anyway, because they must [be] produced as annual FOIA raw data

from Kirsten Mitchell to all attendees: 10:51 AM

Committee By-Laws: <https://www.archives.gov/ogis/foia-advisory-committee/2020-2022-term>

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from ROBERT HAMMOND to all panelists: 10:51 AM

OGIS must timely produce meeting minutes!!! 90 days is nuts.

from ROBERT HAMMOND to all panelists: 10:52 AM

Draft minutes should be posted with transcripts within 30 days.

from Thomas Susman to all attendees: 10:53 AM

The subcommittee acknowledges that – given the challenges CIS is currently facing that include complying with stringent court orders, transitioning to a new access platform, and what appears to be another record-breaking year of new FOIA requests – the commissioning of an independent assessment by an outside entity will require supplemental funding. We therefore recommend that DHS seek and Congress provide specific funding to CIS to support this assessment.

from ROBERT HAMMOND to all panelists: 11:03 AM

such additional funding would not be a budget line-item and may not rise to the level of a narrative in the budget justifications.

from ROBERT HAMMOND to all panelists: 11:06 AM

#2 hand raised via phone

from ROBERT HAMMOND to all panelists: 11:07 AM

read my questions verbatim

from ROBERT HAMMOND to all panelists: 11:07 AM

read

from ROBERT HAMMOND to all panelists: 11:08 AM

Tom, agreed.

from ROBERT HAMMOND to all panelists: 11:09 AM

#2 hand raised

from Event Producer (privately): 11:11 AM

Hi Robert, I don't see your hand raised. Pls hit #2 again if you dialed in via regular dial in for audio.

**ALL PANELIST CHAT
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from Event Producer (privately): 11:11 AM

what is your phone #

from ROBERT HAMMOND to all panelists: 11:12 AM

#2

from ROBERT HAMMOND to all panelists: 11:12 AM

[Phone number provided, but redacted here]

from Event Producer (privately): 11:12 AM

don't see that Phone #...

from Event Producer (privately): 11:13 AM

... nor your hand raised

from ROBERT HAMMOND to all panelists: 11:13 AM

I am dialed in and listening via phone

from ROBERT HAMMOND to all panelists: 11:13 AM

[Phone number provided, but redacted here]

from ROBERT HAMMOND to all panelists: 11:14 AM

read my questions

from ROBERT HAMMOND to all panelists: 11:14 AM

read my questions. OGIS and DOJ funding.

from Event Producer (privately): 11:14 AM

don't see that phone #, sir

from Event Producer (privately): 11:15 AM

did you dial in on this: Participant Telephone Instructions:

US Toll Free: 888-251-2949

US Toll: 215-861-0694

Access Code: 9370 654#

**ALL PANELIST CHAT
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from Event Producer (privately): 11:15 AM

You are also not on webex audio.

from ROBERT HAMMOND to all panelists: 11:16 AM

READ MY QUESTIONS

from ROBERT HAMMOND to all panelists: 11:18 AM

READ MY QUESTIONS RE: MISSSING NARA Q1 & Q2 FY 22 FOIA DATA
IN FOIA.GOV

from ROBERT HAMMOND to all panelists: 11:19 AM

QUESTION. I asked DOJ (Vanita Gupta) and NARA (Debra Wall) to address this
FOIA.gov missing data issue today.

from ROBERT HAMMOND to all panelists: 11:19 AM

PLEASE READ.

FOIA.gov – NARA FY 22 Q1 & Q2

An official website of the United States government [Here's how you know](#)

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Create a Quarterly Report

FOIA.gov provides a more real-time picture of agency FOIA administration through its display of Quarterly Report data. Each quarter, agencies must provide the number of requests received, processed, and in the agency's backlog. Additionally, agencies must report the status of the agency's ten oldest pending requests each quarter. Users can filter data by agency, data type, and quarter.

1. Select Agencies or Components [?](#)

Agency or Component Name

National Archives and Records Administration

[+ Add Another Agency or Component](#)

[Select All Agencies](#)

2. Select Data Type(s) [?](#)

Adding more than one data filter will return results that fit any one of the filters provided. For example, a search for exemption data with the filters "Ex. 5 is 0" + "Ex. 6 is 0" will return data that satisfy either criteria, rather than limiting the results to data that satisfy both criteria.

[Glossary](#)

Data Type

Received, processed, and backlogged FOIA requests

[Filter Results](#)

[+ Add Another Data Type](#)

3. Select Fiscal Years [?](#)

2022 2021

[Select All](#) | [Select None](#)

4. Select Quarters [?](#)

1 2 3 4

[Select All](#) | [Select None](#)

[View Report](#)

[Download CSV](#)

[Clear Search](#)

No data meets your search criteria. Please try a new search.

FOIA.gov – NARA FY 22 Q1 & Q2

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1 2 3 4

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No data meets your search criteria. Please try a new search.