

**National Archives and Records Administration (NARA)
Freedom of Information Act (FOIA) Advisory Committee Meeting**

Meeting Minutes – October 19, 2017

The FOIA Advisory Committee convened at 10:00 a.m. on Thursday, October 19, 2017 in the William G. McGowan Theater at the National Archives Building, 700 Pennsylvania Avenue, N.W., Washington, D.C. 20408-0001.

In accordance with the provisions of Public Law 92-463, the meeting was open to the public from 10:00 a.m. to 1:20 p.m.

Meeting materials are available on the Committee's website at <https://ogis.archives.gov/foia-advisory-Committee/2016-2018-term/Meetings.htm>

Committee members present in the McGowan Theater:

- Alina Semo Chair, Office of Government Information Services, NARA
- Chris Knox, Deloitte
- David Pritzker, Administrative Conference of the United States
- Ginger McCall, Department of Labor
- Melanie A. Pustay, U.S. Department of Justice
- Sean Moulton, Project on Government Oversight
- Logan Perel, Department of the Treasury
- Margaret Kwoka, University of Denver, Sturm College of Law
- Nate Jones, National Security Archive
- Michael Bekesha, Judicial Watch
- Sarah Kotler, Food and Drug Administration
- James Valvo, Cause of Action Institute
- Raynell Lazier, Consumer Financial Protection Bureau
- Stephanie Carr, Department of Defense

Committee members on the phone:

- Michael Bell, Department of Health and Human Services
- James Hershberg, George Washington University
- Jill Eggleston, U.S. Citizenship and Immigration Services

Committee members absent from the meeting:

- Thomas Susman, American Bar Association
- Lynn Walsh, Society for Professional Journalists
- Mitra Ebadolahi, American Civil Liberties Union

Others present or participating in the meeting:

- David Ferriero, NARA
- Jason R. Baron, Of Counsel, Brinker Biddle & Reath LLP
- Max Galka, FOIA Mapper
- Alex Howard, Sunlight Foundation
- Amy Bennett, Designated Federal Officer, NARA

Introduction and Announcements

Archivist of the United States David Ferriero offered opening remarks for the meeting. Mr. Ferriero remarked that the Committee's meeting agenda clearly reflected the growing challenge of the effective administration of FOIA in the digital world and thanked the National Archives' former Director of Litigation, Jason R. Baron, for agreeing to share his insights into this topic. He also said that he is looking forward to reviewing the Committee's final recommendations.

Mr. Ferriero continued to explain that one of his priorities as the Archivist is to show how a small agency can be a leader in open government, and that since 2011 the agency has made more than 200 specific commitments to advance open government in its agency Open Government Plans. He went on to say that the National Archives has also had significant responsibilities in the United States Open Government National Action Plans and that the Office of Government Information Services (OGIS) has played a significant role in the efforts to modernize the administration of FOIA. He further noted that OGIS proposed three commitments to continue to modernize the administration of FOIA for consideration in the United States Open Government National Action Plan currently under development and that the National Archives also proposed a commitment aligned with its 2018 – 2022 Draft Strategic Plan to end, to the extent possible, the transfer of non-electronic records to the National Archives by December 31, 2022.

Administration

After the Committee members introduced themselves, Ms. Semo said that she expects Melanie Pustay to join the meeting in progress. She also informed the audience that the live chat for the meeting was being monitored, and that participants online should feel free to submit comments. She also said that her expectation is that during this meeting, the subcommittees will give the full Committee an overview of their draft recommendations and receive feedback on the proposals. She added that between this meeting and the next, the subcommittees would reconvene to refine the proposals and that the Committee should be ready to vote on proposals by the January 16, 2018 meeting. She also said that the recommendations would be rolled into the final report, which the Committee would vote on at its final meeting.

Ms. Semo then directed the Committee's attention to the minutes for the July 20, 2017 meeting. The Committee voted to adopt the minutes.

Ms. Semo then invited Jason R. Baron to the stage, and introduced Mr. Baron.

Presentation on the Effect of NARA's Capstone Policy and Other Recent Initiatives on FOIA Access

Mr. Baron began his presentation by noting that FOIA is a foundation of open government, and noted that it will become even more important as we continue to transfer into the digital world. As an example he described the significant growth in the amount of email transferred by the last few Administrations to the National Archives at the end of Presidential terms, and noted that while the volume of the Obama administration collection is very significant, it is tiny compared to the amount of email that will be

transferred to the National Archives from federal agencies. He noted that there is no automatic way to make this material accessible to the public, and that FOIA is the public's only tool to request access. The challenge, he continued, is for agencies to ensure that they can sufficiently search this large volume of material and provide access.

Mr. Baron then went on to describe how the Managing Government Records Presidential Memorandum and the ensuing Managing Government Records Directive jointly issued the National Archives and the Office of Management and Budget (OMB), marked a new era of open government by setting deadlines for agencies to electronically manage all emails by December 31, 2016 and electronically manage all permanent records electronically by December 31, 2019. He continued by explaining that the latest reports from the National Archives' Chief Records Officer show that agencies are largely meeting the first goal and attributed this success to the National Archives Capstone ("Capstone") policy.

Mr. Baron explained that Capstone is an alternative approach to email management that replaces the government's previous policy of requiring records custodians to print and file email records. He explained that Capstone is automated and that the length of time the material is preserved depends on the role and job duties of the employee rather than the content of the record. He went on to say that agencies began applying Capstone by designating certain accounts that will be automatically preserved as permanent, and submitting those designated accounts to the National Archives for review. He said that while it varies among agencies, Capstone accounts generally account for a very small percentage of the agencies' overall email accounts.

Mr. Baron stated that the National Archives has issued success criteria to determine whether an agency is adequately managing its email electronically, including whether the retention of permanent records is automatic and whether archives of emails saved under Capstone are accessible. He added that his alternative success criteria would look at whether an agency is really implementing its Capstone plan or simply saving everything, whether there is transfer guidance from the National Archives to address the presence of Personally Identifiable Information (PII) in the material, and whether the agency can conduct robust searches.

Mr. Baron continued to explain that as the size of email archives continues to grow, agencies have a legal obligation under FOIA to ensure that they can conduct adequate searches, and explained that they will need tools that help them filter out sensitive material and reduce false positives. As an example, he discussed his experience during the government's litigation with tobacco companies, stating that during discovery they used key word searches to identify 200,000 potentially responsive records and that after reviewing the records a little more than half were found to be responsive. He said that as the volume of material agencies need to search continues to grow, they need to use technologies like eDiscovery tools and predictive coding to find responsive records. He added that these tools are already in use in private practice and that if implemented by agencies they are much more effective for providing the public with timely access to agency records. He also said that these tools have been found to be effective by courts and have the potential to save an agency time and resources during search and review.

Mr. Baron wrapped up his presentation by reiterating the three points he made in a letter he submitted to the Committee. His first point was that the volume of records agencies will need to search for responsive records will increase as agencies transition to an increasingly electronic record-keeping environment. He recommended that in order to meet this challenge, agencies should learn from how its own legal counsel are meeting their obligations to produce records in litigation and adopt the use of similar eDiscovery software, and that agencies should invest in research into predictive coding techniques that makes the review process less burdensome.

Questions

Nate Jones commented that Mr. Baron's presentation reinforced some of the findings of the Search Subcommittee: primarily that some agencies are conducting good searches while others have a ways to go. He added that they also heard from agencies that eDiscovery tools were too expensive for FOIA offices to afford, and asked Mr. Baron how FOIA offices can access these tools. Mr. Baron responded that agencies need to understand the litigation risk associated with FOIA and understand that the agency cannot run out and purchase these tools after they are sued. He suggested that the FOIA offices work with the agency's Office of General Counsel to see if the agency already has access to these tools, and how to expand licenses to the tools to FOIA.

Ginger McCall asked Mr. Baron about the cost of the licenses and the kind of training necessary to use the tools. Mr. Baron responded that in his opinion it is important for FOIA officers and lawyers to understand how to use the technology and to not rely on IT staff to use the tool; he added that most people can be trained on how to use the tool's basic functionalities within a day or two. He also said that he would speak with her off-line about costs, but that generally agencies would see a savings on Full Time Employees (FTEs) due to streamlined search and review.

Logan Perel asked if there are any studies comparing the results of predictive coding with human review. Mr. Baron said that studies have shown that predictive coding is just as good, if not slightly more accurate, than human review. He added that predictive coding is significantly faster than human review as well.

James Hershberg raised a concern about the destruction of non-permanent records under Capstone after six to seven years because not enough time has passed to know what might be important for historians. Mr. Baron clarified that Capstone only covers email and that other agency records are subject to approved records schedules. He added that the issue currently is that employees are not printing and filing email, meaning that very few if any email that might be of interest to historians is saved and that Capstone promises that email from those accounts that are most likely to have important material are permanently saved. Mr. Hershberg said that, particularly at intelligence agencies, lower level action officers might have email records of significance. Mr. Baron responded that he understands the concern and he hopes that officials at the National Archives would take this into consideration.

Sean Moulton asked if there is any way for the public to have input on the accounts that agencies designate under Capstone. Mr. Baron responded that agencies submit this material in a plan to the National Archives and that the National Archives posts all of the submitted plans for public review.

Ms. Semo thanked Mr. Baron for his presentation and asked the Search Subcommittee Co-Chairs to give an overview of their draft recommendations.

Search Subcommittee Draft Recommendations and Discussion

Nate Jones began his presentation by noting that the one recommendation approved by the last term of the FOIA Advisory Committee seems to have not been acted on by OMB to date. He then said that a good reference point for understanding the subcommittee's draft recommendations is the results of the survey conducted on agency search practices by the National Security Archive and the Project On Government Oversight (POGO) early in this Committee's current term.

Mr. Jones then explained that the subcommittee's first draft recommendation is to recommend that the Department of Justice, Office of Information Policy (OIP), use the Chief FOIA Officer's Reports to

collect information on agency search methods and the use of technology to execute searches. Ms. Pustay noted that OIP has asked questions about the use of technology in past Chief FOIA Officer Reports and asked if those suited their needs. Mr. Jones and Mr. Perel explained that they were not able to find any specific information about the technology used for searches and that having that kind of information would allow the public to better understand the technologies and practices that work at certain agencies.

Mr. Perel noted that the subcommittee's second recommendation is based on performance evaluation standards that were developed and released by OIP. He explained that the Subcommittee will recommend to the Archivist that he ask OIGIS to study the use of FOIA performance evaluation standards and submit their findings and recommendations to Congress and the President. Mr. Perel explained the goal of this recommendation is to expand the use of these kinds of performance measures -- particularly for Subject Matter Experts (SMEs) that have responsibility for conducting searches -- and hopefully speed up their response time to requests to conduct searches.

Mr. Perel also explained that the third draft recommendation -- which is to recommend that the Chief FOIA Officers' Council work with the Chief Information Officers' Council to study the use of technology in FOIA -- is to encourage collaboration between FOIA and Information Technology (IT) offices.

Mr. Jones noted that the remaining recommendations are more general best practices and that he would like to hear any suggestions for how they could be further structured or refined to encourage their adoption across the government. He said that the best practices include: providing agencies with needed technologies to improve searches (including technologies that allow centralized searches by the FOIA office), ensuring email can be searched electronically, weighing the costs of eDiscovery tools against the litigation risks of incomplete searches and untimely responses, and allowing requesters to better narrow requests by putting information about agency records online and encouraging requesters to talk to FOIA professionals that have sufficient training to be able to help the requester effectively target a request.

Mr. Moulton noted that they could gather information about whether agencies are using the best practices through Chief FOIA Officers' Reports. Mr. Jones noted that this is worth exploring, but that he is sensitive to the agency reporting burden. Mr. Perel added that at least three of the best practices could easily be integrated into the reporting question.

Chris Knox pointed out that agencies sometimes have to carry out inefficient search and review processes during initial processing and then redo the work using eDiscovery tools when the case goes into litigation, and noted that it might be useful to talk about FOIA requests generally as a precursor to litigation. Mr. Jones noted that a very small percentage of FOIA requests result in litigation. Ms. Pustay added that many times lawsuits are filed at day 21 (based on constructive exhaustion), before the agency has completed its initial search, and that most of the agencies that are frequent litigation targets do have eDiscovery tools. Amy Bennett referenced a finding in OIGIS's agency FOIA compliance assessment of Immigration and Customs Enforcement (ICE) that there was an inverse relationship between spending on initial processing and litigation related expenses: she added that ICE made a case for investing in technologies like eDiscovery to reduce their litigation exposure.

David Pritzker asked what the subcommittee intends for the Archivist to do with recommended best practices. Mr. Jones responded that they understand best practices are not as actionable as the other recommendations, but that he thinks it is still useful for the Committee to bring attention to them.

Ms. Semo thanked the Search Subcommittee and then invited the Efficiencies and Resources Subcommittee to share their update.

Efficiencies and Resources Subcommittee Draft Recommendations and Discussion

Mr. Knox began the presentation of the Efficiencies and Resources Subcommittee draft recommendations by explaining that their aim was to identify best practices among agencies that processed both a large and medium volume of requests annually and were determined to be high performing. He explained that after identifying the agencies, the subcommittee developed a standard list of questions to use in interviews and then reviewed the notes from the interviews to identify themes in responses. He added that the observations fall into three general categories: managing the FOIA process, identifying and bringing in FOIA talent, and using technology to improve the FOIA process.

Mr. Knox explained that during several interviews, the agency FOIA professional spoke about the importance of communicating early with requesters to narrow the scope of the request. He also said that agencies reported that it was helpful to encourage teamwork between FOIA professionals and SMEs and allowing FOIA professionals to develop expertise with processing certain kinds of requests. He added that the interviews point to success from encouraging accountability by individual processors and making the process more transparent for employees, and from balancing an agency's use of resources through the use of multi-track processing. He also said that several agencies noted that centralizing, to the extent possible, creates efficiencies.

Ginger McCall then discussed the subcommittee's best practices related to identifying and bringing in talent. She said that the suggestions include creating rotational positions for entry-level employees, creating a career path model for FOIA and Records Management professionals, and using interns, detailees and contractors. She added that the interviews indicated that interns are particularly useful for handling administrative work and straight-forward projects, and that using contractors for surge support provides the agency with flexibility and can save resources.

Mr. Knox then discussed the best practices the subcommittee identified related to the use of technology. He said that one of the important things they noticed is that it is important that agencies have a way to export records in a usable format, that agencies can improve searches by injecting accountability for SMEs, and by making the end goal of responding to FOIA requests a major component when developing the records management system and workflows. He also said that several agencies discussed the utility of centralizing and consolidating the tracking systems used by agency FOIA offices. He added that the agencies reported success using "Commercial Off-the-Shelf (COTS) and Government Off-The-Shelf (GOTS) products, and tracking systems developed in-house, and having developers modify other software for use in FOIA.

Melanie Pustay said that she appreciated Mr. Knox's observation that technology can be equally useful for agencies that process a relatively small number of requests per year, and added that while the agency might currently be able to respond to requests within 20 days, that technology might be able to reduce the response time.

Mr. Perel observed that in his experience it can be difficult to bring in contractors in a timely fashion and recommended that the subcommittee might want to explore making a recommendation to the General Services Administration (GSA) that they have a standard surge support contract for FOIA offices. Ms. McCall and Mr. Knox said that they would like to discuss this possibility with Mr. Perel more after the meeting.

Sean Moulton asked if the Committee was aware of any small agencies that had banded together to lower the cost of technology purchases. Committee members acknowledge that there is a cost-sharing agreement for *FOIAonline*, which is a GOTS product, but did not know of any joint purchases of COTS

products. Mr. Knox said that it would be useful for FOIA to better market itself as a market to technology companies.

Margaret Kwoka stated that standardizing and centralizing the technologies that agencies use to track the FOIA process might feed into a Proactive Disclosure Subcommittee recommendation to standardize the format of FOIA logs.

Jams Hershberg said that the metrics the subcommittee discusses in its recommendations relate to quantity, but that they might also want to suggest qualitative metrics. He suggested that one way to accomplish that would be to ask the requester if they are satisfied with the response. Mr. Knox responded that because of the nature of FOIA, requesters might say they are not satisfied even if the agency has done a really good job, but that it is worth exploring the idea.

Michael Bekesha asked if the subcommittee observed any trends related to the types of requesters that the agency has. Stephanie Carr noted that several agencies noted issues with requesters who file “any and all” requests, and Ms. McCall added that at the Department of Labor one FOIA office is able to respond to most requests very efficiently because most of the requesters are companies that know exactly the form that they want. Mr. Knox noted that improving requester understanding is clearly a part of the effort to work with a requester early in the process and Mr. Bekesha responded that there might be some cross-over with this best practice and the Search Subcommittee’s recommendation related to increasing requester knowledge by putting information about the types of records the agency has online. Ms. Pustay stated that agencies are required to include some of this type of information in their FOIA Reference Guides, which are posted online, but stressed the importance of discussing the request with the requester. Mr. Jones also noted that it might be helpful for agencies to more prominently display this information on its FOIA webpage. Ms. Pustay responded that OIP is working to integrate these principles into the National FOIA Portal currently under development.

Michael Bekesha asked if the Committee had any experience with agencies talking with requesters before a request is filed. Sarah Kotler and Ms. McCall said that they know of instances where the agency talks to requesters before a request is filed, and Ms. McCall noted that this is one of the responsibilities of the FOIA Public Liaison. Ms. Pustay added that FOIA Requester Service Centers can also answer requester questions about how to file a request. Mr. Moulton said that calling an agency before filing a request might be a common practice among experienced requesters, but that less experienced requesters might not know that it is an option. Melanie Pustay responded that they are working to integrate this kind of requester knowledge into the National FOIA Portal, and Alina Semo added that OGIS also frequently talks with requesters about how to file a request.

Ms. Eggleston suggested that the subcommittee might want to integrate communication with requesters into employee performance standards. She also suggested that the subcommittee might want to look into recommending that FOIA be integrated into the purchase of major information system using the Federal Acquisition Regulation (FAR), which has similar requirements already for Privacy Act considerations. Raynell Lazier responded to the suggestion regarding performance standards that many plans already include communication and that they would not want to encourage requesters to make phone calls if they are not necessary.

Ms. Semo thanked the subcommittee for the update and announced that they would take a short break before hearing the last subcommittee update and public comments.

Proactive Disclosure Subcommittee Draft Recommendations and Discussion

Margaret Kwoka kicked off the presentation by introducing the subcommittee's guest speaker, Max Galka. She noted that Mr. Galka is the founder of FOIA Mapper, a search engine for public records.

Mr. Galka began his presentation by explaining that he has relied on FOIA in several ways throughout his professional life. He then noted that there is an asymmetry in information between the agency and the requester that puts the requester at a disadvantage during the FOIA process. He added that it can be difficult for requesters to know how to frame requests and that the substance of the request is sometimes lost in translation between the FOIA office and the SMEs that might hold responsive records.

Mr. Galka explained that before making a FOIA request he generally starts by reviewing the agency's FOIA logs. He said that he has found it is much easier to ask for what an agency has already released to another requester, and that it is useful for understanding the kinds of records that the agency holds and how they are described.

Mr. Galka said that he built FOIA Mapper by digitizing agency FOIA logs and making them searchable. He said that his goal is to build a repository of knowledge for requesters that helps them file more targeted requests.

Mr. Galka explained that he categorized and analyzed the data on FOIA Mapper to see what he could learn about how FOIA was being used by different kinds of requesters. He added that the sample of data he analyzed is not random, but it is a large repository of data and noted that he found similar results to other scholarly works in this area. He noted that overall, journalists make up a tiny proportion of requesters. He added that at some agencies, there are lots of individual requesters that are asking for their own records, but that the largest volume of requests in his sample are made by companies. He then went through the most frequent requesters in each category: he noted that the top five corporate requesters accounted for more than 50 percent of the requests made annually to the Securities and Exchange Commission (SEC); that the top media requesters were generally mainstream media corporations; and that political parties file a large volume of FOIAs in order to conduct opposition research.

He ended his presentation by reiterating that FOIA logs are a useful tool for requesters to understand the types of records that an agency holds. He also highlighted the importance of the structure of FOIA logs, noting that in order for the FOIA logs to be useful, they need to be searchable, and suggested that it might be more useful for an agency to redact an entire column and electronically release the log rather than print it out to make certain redactions in a column.

Mr. Bekesha asked Mr. Galka if there is any variation in the fields that agencies release in FOIA logs. Mr. Galka responded that there is a large amount of variation in the information fields that agencies include in FOIA logs, and added that there are differences in how precise agencies are in their description of what is requested. Mr. Bekesha followed up to ask if any agencies release the name of the FOIA processor assigned to the case, and Mr. Galka responded that in many cases agencies do release that information.

Mr. Pritzker asked if agencies are required to keep the results of older FOIA requests. Mr. Galka responded that when he has asked for what an agency released to another requester, he has been told that it might take some time for the agency to pull the response together, but that the agency has never been confused about what he is requesting. Mr. Pritzker followed up to ask about the average response time and Mr. Galka said that he has received a response to these requests within 24 hours and that he usually receives the response within 20 days; he added that these requests have not dragged on beyond six months, unlike some of his other less targeted requests.

Sarah Kotler announced that she had to leave the meeting, and that Ms. Kwoka would provide the Committee with an overview of the subcommittee's draft recommendations.

Ms. Kwoka thanked Mr. Galka for his presentation and explained that the subcommittee has prepared three recommendations. She said that she would start with the subcommittee's recommendation related to FOIA logs since it is related to Mr. Galka's presentation. She explained that the purpose of the recommendation is three-fold: 1) to encourage agencies to regularly publish FOIA logs; 2) to encourage agencies to standardize the fields released; and 3) to encourage agencies to release FOIA logs in more useful formats. She noted that the subcommittee continues to discuss this recommendation and is requesting feedback on whether to recommend that FOIA logs include the name of non-first-party requesters.

Ms. Kowka explained that the second recommendation is intended to give agencies guidance for how to determine what records to make a priority for proactive disclosure. She also explained that the third recommendation is a list of records that the subcommittee suggests agencies release proactively. . She added that the subcommittee developed this list by compiling suggested targets for proactive disclosure and then ranking them based on how easy it would be for the agency to post the record, and its importance for improving understanding of the government's actions. She noted that the list asks for Committee feedback on some of the specific items.

Mr. Jones stated that the subcommittee is also working to develop a recommendation related to the legal requirement to make any record added to an agency website accessible to people with people with disabilities.

Mr. Perel suggested that the subcommittee might want to consider expanding its list of suggested records to include "Congressional correspondence" in addition to "all unclassified Congressional reports," and suggested that the subcommittee might find guidance on what should be released about federal employees from the Office of Personnel Management (OPM) with respect to a suggestion that agencies post employee directories. Mr. Perel also noted that there might be a significant amount of information that is not necessarily work-related that is collected in agency visitor logs, and that the number of requests for Office of Legal Counsel opinions has decreased as the public has become more aware of the office and its work products. Ms. Kwoka responded that the subcommittee did discuss suggesting that Congressional correspondence be included on the list, but that it was excluded because of concerns about constituent information being released; Mr. Perel added that this concern could be addressed by limiting the suggestion to correspondence from Congressional Committees. Ms. Kwoka also said that the subcommittee shared Mr. Perel's concerns about visitor logs, and Ms. McCall weighed in that she also has privacy concerns with the release of visitor logs and employee directories. Ms. McCall explained that unsolicited email can be very intrusive, and that agencies would have a hard time keeping the employee lists up to date. Mr. Bekesha responded that the State Department issues a telephone directory to certain high-level officials every six months.

Ms. Kwoka called the Committee's attention to the subcommittee's request for feedback on whether to include agency budget justifications in the list of proactive disclosure targets, and on how to structure the suggestion related to contracts, work orders, and grants. Mr. Perel asked what additional information the subcommittee is looking for beyond what is already available of USASpending.gov and FedBizOps.gov. Mr. Moulton responded that the description of the contracts on those websites are generally very vague and the aim is to have more information about how funds are used. Mr. Perel noted the need to redact confidential business information from these kinds of documents, and Mr. Moulton named agencies that are currently posting contracts on their website.

Public Comments

Alex Howard noted that the Department of Homeland Security Immigration and Customs Enforcement (ICE) had recently taken down all of the material in its reading room after it was discovered that there was some personally identifiable, sensitive information included in some of the posted records. He noted that the documents are now re-posted in the reading room but that ICE was not responding to any questions from reporters or the public about the episode, and encouraged the Committee, OIP, and OGIS to speak out and ask for a full recounting of the episode. Mr. Howard also noted that there has been no new information about OIP's consideration of the "Release to One, Release to All" draft policy since it was issued for public feedback in December 2016.

Mr. Jones responded that with respect to ICE's reading room, he does see a value in asking for the agency to explain its actions. Mr. Moulton added that the Committee had discussed increasing personal accountability for FOIA processors, but that increased accountability should also be applied more generally to agencies for their actions.

Ms. Pustay responded that she does not have an update on "Release to One, Release to All," and that it is still under review. She added that the recent FOIA amendments now require posting when records are requested three times and that multiple agencies are implementing the policy, so there is progress on this topic. She stressed that OIP continues to support and encourage proactive disclosures by agencies.

Mr. Bekesha noted that if the requester community thinks that "Release to One, Release to All" is important they should go to Congress and bring it their attention. .

Ms. Semo concluded the meeting by thanking all of the committee members for the hard work they will be putting in between this and the next meeting, Tuesday, January 16th, 2018 at 10:00 am in McGowan Theater, and adjourned the meeting at 1:20 pm

I certify that, to the best of my knowledge, the foregoing minutes are accurate and complete on January 16, 2018.



Amy Bennett
Designated Federal Officer, 2016-2018 Term



Alina M. Semo
Chair