



**SESSION 2.01: THE OMBUDSMAN'S OFFICE**  
**WHAT YOU NEED TO KNOW**  
 Office of Government Information Services  
 (OGIS)

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## OGIS's MISSION

5 U.S.C. §§ 552(h)(1)-(3)

- Provide mediation services to resolve FOIA disputes
- Review agencies' FOIA policies, procedures & compliance
- Identify procedures & methods for improving FOIA compliance



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## THE FOIA OMBUDSMAN

**Improving the  
FOIA Process**





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## FOIA Hot Topics Foreseeable Harm

National Archives  
Identifier:  
205583221



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## FOIA Hot Topics COVID, Backlogs and Communication



National Archives Identifier: 45499301

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## FOIA Hot Topics: EDCs - It's the Law - and an Opportunity

5 U.S.C. § 552 (a)(7):

(7) Each agency shall -

(A) establish a system to assign an individualized tracking number for each request received that will take longer than ten days to process and provide to each person making a request the tracking number assigned to the request; and

(B) establish a telephone line or Internet service that provides information about the status of a request to the person making the request using the assigned tracking number, including -

- (i) the date on which the agency originally received the request; and
- (ii) an estimated date on which the agency will complete action on the request.

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## OK, So How Do I Determine an EDC?

### RESOURCES:

OGIS Assessment on Agency Compliance with EDCs:

<https://www.archives.gov/ogis/foia-compliance-program/targeted-assessments/agency-compliance-with-edc-2020-mar-31>

OGIS Advisory Opinion:

<https://www.archives.gov/ogis/advisory-opinions/2020-01-agencies-must-provide-edcs>

OGIS Open Meeting: Panel on EDCs:

[https://www.youtube.com/watch?v=AeUP\\_7H-sA&t=780s](https://www.youtube.com/watch?v=AeUP_7H-sA&t=780s)



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## FOIA Hot Topics FOIA Portals - Clear Communication



National Archives Identifier:  
44266146

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## OGIS Recommendations & Best Practices

- Nearly 180 from agency & issue assessments
- Three categories:
  - Management
  - Technology
  - Communication

OGIS Recommendations and Best Practices for Agencies

Category	Topic	Recommendation	Best Practice
Management	Agency-wide	Establish a clear policy on the use of EDCs.	Use EDCs to track and manage all agency-wide activities.
	Program-specific	Establish a clear policy on the use of EDCs.	Use EDCs to track and manage all program-specific activities.
	Issue-specific	Establish a clear policy on the use of EDCs.	Use EDCs to track and manage all issue-specific activities.
	Individual	Establish a clear policy on the use of EDCs.	Use EDCs to track and manage all individual activities.
Technology	Agency-wide	Use EDCs to track and manage all agency-wide activities.	Use EDCs to track and manage all program-specific activities.
	Program-specific	Use EDCs to track and manage all program-specific activities.	Use EDCs to track and manage all issue-specific activities.
	Issue-specific	Use EDCs to track and manage all issue-specific activities.	Use EDCs to track and manage all individual activities.
	Individual	Use EDCs to track and manage all individual activities.	
Communication	Agency-wide	Use EDCs to track and manage all agency-wide activities.	Use EDCs to track and manage all program-specific activities.
	Program-specific	Use EDCs to track and manage all program-specific activities.	Use EDCs to track and manage all issue-specific activities.
	Issue-specific	Use EDCs to track and manage all issue-specific activities.	Use EDCs to track and manage all individual activities.
	Individual	Use EDCs to track and manage all individual activities.	

<https://www.archives.gov/ogis/foia-compliance-program/agency-recommendations-and-best-practices-tables>

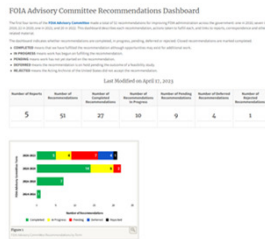
<https://www.archives.gov/ogis/foia-compliance-program/issue-assessment-recommendations-and-best-practices-tables>

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## FOIA Advisory Committee Recommendations

- 51 total
- 27 completed
- 19 in process or pending



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

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## FOIA Advisory Committee Resources Subcommittee Survey



National Archives Identifier 6508314

- Voluntary
- 10 minutes
- Administered by Dr. Gbemende Johnson of the University of Georgia
- Make your voice heard!

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## FOIA Advisory Committee Work

- Subcommittees & Working Groups
- Bright ideas = synergy!



National Archives Identifier 2458088

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## Keep in Touch



National Archives Identifier: 594263

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