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# The Office of Government Information Services



The OPEN Government Act of 2007 amended the Freedom of Information Act to create the Office of Government Information Services (OGIS) within the National Archives and Records Administration (NARA)

5 U.S.C. § 552(h)(1)



# The Office of Government Information Services



OGIS opened in early September 2009, with its main office at NARA in College Park, Maryland.

The OGIS staff has been working with the Department of Justice, other agencies and with private sector stakeholders to promote transparency, provide dispute resolution skills training and resolve requester and agency FOIA issues.

# OGIS Mission



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Review and policy



Mediation



FOIA Ombudsman

# Reviewing agency compliance and recommending policy changes:

- Will utilize agency annual reports and other data to analyze performance, resources and backlogs
- Working with agencies and with requesters to identify and share “best practices”
- Working with Department of Justice, the Chief Technology Officer and the President’s Open Government Initiative team

# The FOIA Landscape

- 92 Executive Branch entities: 15 departments and 77 agencies
- almost 557,000 FOIA requests submitted in FY 2009
- 9,800 administrative appeals filed in FY 2009
- costs to administer the FOIA (including litigation): slightly more than \$382 million in FY 2009

# Providing Mediation Services, through combination of approaches

- Currently informally mediating disputes between FOIA requesters and agencies
- Will soon begin offering formal mediation services using trained mediators from both inside and outside of government
- Alternative Dispute Resolution (ADR) resources exist in agencies — creating link between ADR & FOIA

# Providing Mediation Services (cont'd)

- FOIA Public Liaisons -- the “front line” for dispute resolution
  - . . . now offering dispute resolution skills training for Public Liaisons!
- Technology as a resource — looking at online dispute resolution (ODR) options



# FOIA Ombudsman:

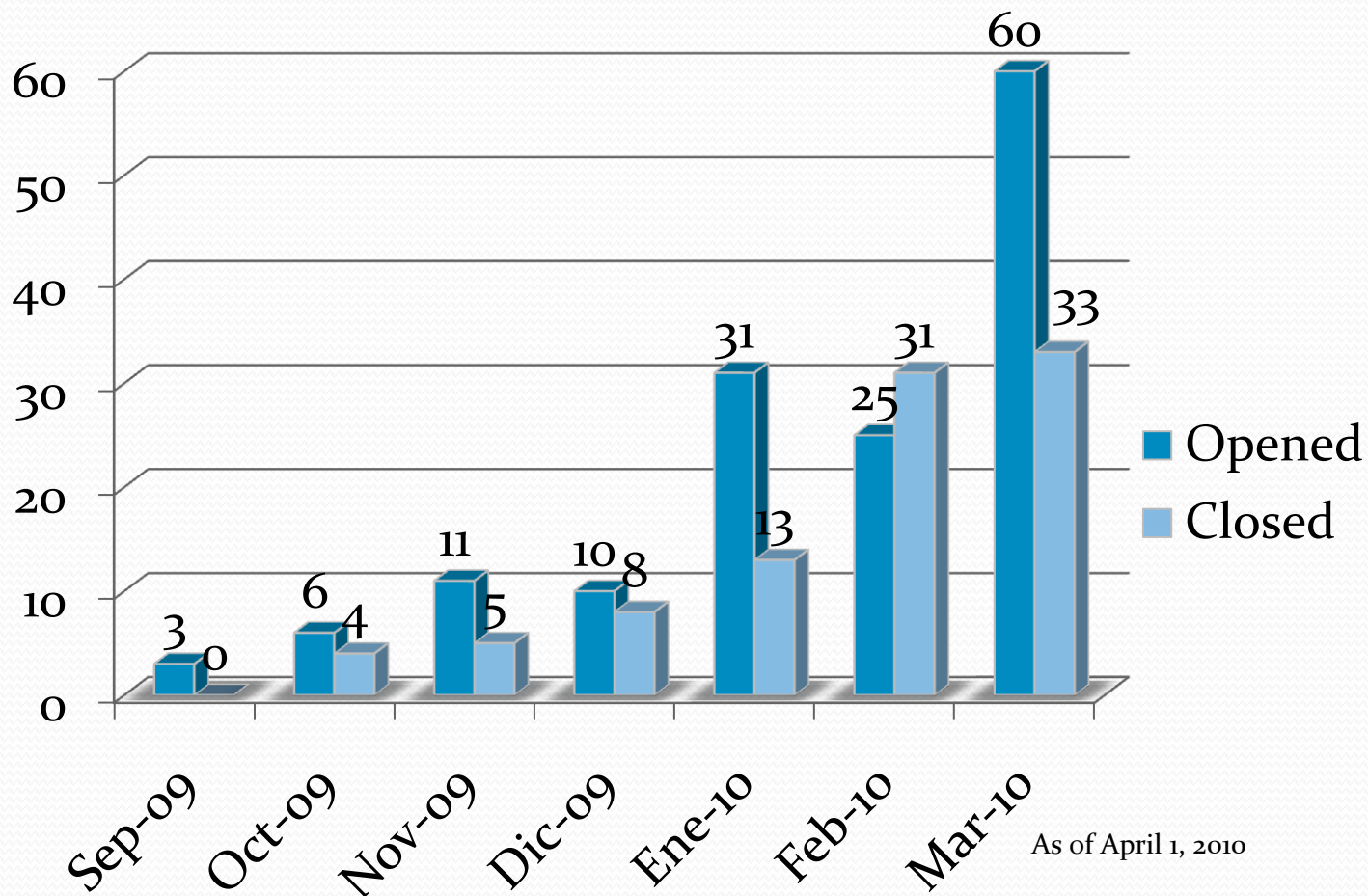
- Soliciting and receiving comments and questions from the public regarding administration of FOIA
- Will use the information to improve FOIA processes and facilitate communication between Federal agencies and the public
- OGIS case log posted on website and updated weekly
- Will host series of roundtable discussions between FOIA requesters and government representatives on “thorny” FOIA issues

# OGIS Activities

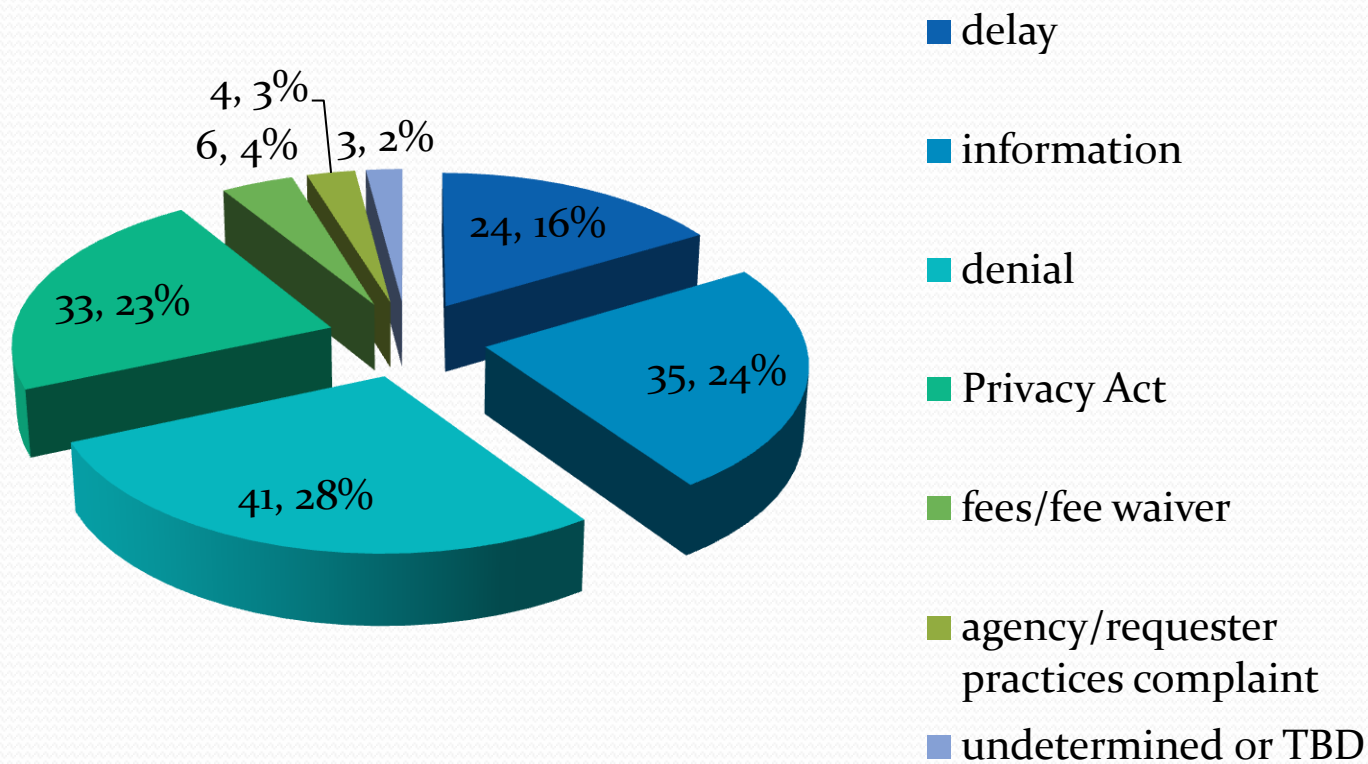
Where in the process will OGIS get involved?

- OGIS works in conjunction with the current request and appeal process
- Rule: allow, whenever practical, the requester to exhaust remedies within the agency, including the appeal process
- Exception: sometimes more practical to help earlier in process, for example, if action on appeal is delayed for some time or if agency is attempting to work with requester to narrow scope of request and OGIS can help

## OGIS Cases Opened/Closed by Month



## Category of Cases Received by OGIS



As of April 1, 2010

# What are we seeing?

- Need for basic information about FOIA
- Delays
- Fees and fee waivers
- Substantive issues of withholding

**Customer service still a major issue!**



You may contact OGIS in any of the following ways:

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