

# Office of Government Information Services (OGIS)

## *Building a Bridge Between FOIA Requesters and Federal Agencies*



### About OGIS

The Office of Government Information Services was created when Congress amended the Freedom of Information Act (5 U.S.C. § 552) through the O.P.E.N. Government Act of 2007. OGIS is part of the National Archives and Records Administration.

OGIS works with government parties and with private-sector stakeholders to promote transparency; to provide training in dispute resolution; and to resolve requester and agency FOIA disputes.

As the FOIA ombudsman, OGIS has a two-part mission.

1. Review: OGIS reviews administrative agencies' FOIA policies, procedures and compliance. The office also recommends policy changes to Congress and the President to improve FOIA.
2. Resolve disputes: OGIS offers mediation services to resolve disputes between FOIA requesters and Federal agencies as a nonexclusive alternative to litigation. The office may issue advisory opinions if mediation does not resolve a dispute.

In addition, OGIS fields questions, comments, suggestions and complaints from Federal agencies and the public with the goal of improving FOIA processes.

### OGIS Contact Information

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The amended portions of the FOIA, 5 U.S.C. Section 552, concerning OGIS as well as some other aspects of agency compliance and service are:

- (h)(1) There is established the Office of Government Information Services within the National Archives and Records Administration.

the agency and keep the head of the agency, the chief legal officer of the agency, and the Attorney General appropriately informed of the agency's performance in implementing this section
- (2) The Office of Government Information Services shall—
  - A. review policies and procedures of administrative agencies under this section
  - B. review compliance with this section by administrative agencies, and
  - C. recommend policy changes to Congress and the President to improve the administration of this section.
- (3) The Office of Government Information Services shall offer mediation services to resolve disputes between persons making requests under this section and administrative agencies as a nonexclusive alternative to litigation and, at the discretion of the Office, may issue advisory opinions if mediation has not resolved the dispute.
- (i) The Government Accountability Office shall conduct audits of administrative agencies on the implementation of this section and issue reports detailing the results of such audits.
- (j) Each agency shall designate a Chief FOIA Officer who shall be a senior official of such agency (at the Assistant Secretary or equivalent level).
- (k) The Chief FOIA Officer of each agency shall, subject to the authority of the head of the agency—
  - 1) have agency-wide responsibility for efficient and appropriate compliance with this section
  - 2) monitor implementation of this section throughout
- 3) recommend to the head of the agency such adjustments to agency practices, policies, personnel, and funding as may be necessary to improve its implementation of this section
- 4) review and report to the Attorney General, through the head of the agency, at such times and in such formats as the Attorney General may direct, on the agency's performance in implementing this section
- 5) facilitate public understanding of the purposes of the statutory exemptions of this section by including concise descriptions of the exemptions in both the agency's handbook issued under subsection (g), and the agency's annual report on this section, and by providing an overview, where appropriate, of certain general categories of agency records to which those exemptions apply, and
- 6) designate one or more FOIA Public Liaisons.
- (l) FOIA Public Liaisons shall report to the agency Chief FOIA Officer and shall serve as supervisory officials to whom a requester under this section can raise concerns about the service the requester has received from the FOIA Requester Center, following an initial response from the FOIA Requester Center Staff. FOIA Public Liaisons shall be responsible for assisting in reducing delays, increasing transparency and understanding of the status of requests, and assisting in the resolution of disputes.

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In addition, subsection (a)(6)(B)(ii)—which gives a FOIA requester and an agency the opportunity to modify the scope of a request and to agree to an alternative time frame for processing the request—was amended:

To aid the requester, each agency shall make available its FOIA Public Liaison, who shall assist in the resolution of any disputes between the requester and the agency.