

## I. Introduction

### Executive Summary

**Provide an overview of the backlog plan.**

***Sample language:***

As agencies administer the Freedom of Information Act (FOIA), minimizing the number of backlogged requests is central to ensuring that FOIA requesters have timely access to records. A request is backlogged if it is pending past the FOIA's standard 20- or 30-day response timeframes. DOJ's Office of Information Policy (OIP) has directed any agency with a backlog of over 1000 requests in the previous FY to provide a plan for achieving backlog reduction in the year ahead.

***Provide information on the agency's FOIA program.***

- Is the program centralized or decentralized?
- How many requests does the agency typically receive and process within a year?
- Overview of goals the agency has set to address backlog.

## II. Challenges

**It is recommended that agencies first conduct a study to be able to list the challenges they face, with a full description of how the challenges have affected processing.**

***Sample language for the most common challenges:***

- Significant increase in FOIA requests
  - From FY 2023 to FY 2024, this agency saw received requests increase by X%, compared to FY 2022 to FY 2023 seeing a X% increase. This significant increase in requests impacted the workload of all FOIA staff and the processing speed of all requests. Components A and B, in particular saw a significant increase, over X%. These components hold X% of the agency's overall received requests.
- Significant increase in FOIA litigation
  - In FY 2024, this agency saw X% of requests go into litigation. As a result of litigation, staff were diverted to addressing the requests in question, further delaying other requests in the queue.
- Loss of staff

- In FY 2024, this agency saw staffing losses of X%. Each member of the FOIA team is critical to processing, and having a significant portion depart has increased the workload of those that remain.
- Increase in the complexity of requests received
  - This agency has seen the complexity of FOIA requests increase rapidly over the past few years. X% of requests received now require consultations and referrals, a process that takes longer as additional input is needed from other components. Additionally, requesters have sought more classified information, which requires extensive review to ascertain what is eligible for release.

### III. Goal Setting

**Select goals that can help the agency address the backlog and develop plans for how these goals will be achieved. Develop a timeline for when progress should be expected and to keep the agency on track.**

***Sample language:***

Annually, OIP has issued guidance on practices to help agencies improve FOIA request backlogs. This agency has selected the goals below to implement.

- Close the 10 oldest requests
  - Designate a team to tackle these requests
  - Emphasize importance of all components responding to consultation/referrals for these requests as soon as practicable
- Regularly review data on backlogs and timeliness
  - Identify if there are struggling components and assess needs for improvement
  - Identify if there are specific elements in the workflow that lead to a bottleneck and determine steps to address
- Use enhanced technology to process requests
  - Assess whether technology could automate or assist in review for processing
  - Determine the budget to introduce new technology
  - Hold trainings to ensure staff is well informed on available technology
- Communicate with requesters
  - Establish negotiation protocols to refine requests
  - Train staff on how to efficiently narrow requests
  - Solicit feedback on needs to improve satisfaction
- Obtain support from all levels within the agency

- Contribution at all levels of FOIA processing is essential to tackling backlog reduction. There will be various goals set for each level to ensure that everyone is invested in the outcome and valuable input is gathered from all avenues.
  - Leadership
    - Conduct regular meetings with staff to understand shortfalls in program
    - Assess staffing volume, and if an increased request volume necessitates additional personnel (temporary or permanent)
  - Staff
    - Offer insight into which areas require more support
    - Volunteer to work within target areas of backlog challenges

## IV. Conclusion

**Provide an overview of the next steps for the agency.**