Guidelines for 2027 Chief FOIA Officer Reports

U.S Department of
JUSTICE

Office of Information Policy

Chief FOIA Officer Reporting

The Chief FOIA Officer of each agency is required to review and report to the Attorney General on the agency's performance in implementing the FOIA.

5 U.S.C.§552(j)(2)(D)

DOJ's 2022 FOIA Guidelines

- Applying a Presumption of Openness
- Ensuring Fair and Effective FOIA Administration
- Proactive Disclosures
- Steps Taken to Make Better Use of Technology
- Removing Barriers to Access and Reducing FOIA Request Backlogs

https://www.justice.gov/ag/page/file/1483516/download

Agency Accountability

DOJ's 2022 FOIA Guidelines direct agency Chief FOIA Officers to "undertake comprehensive reviews of all aspects of their agencies' FOIA administration" and to report each year to the Department of Justice on the "steps they have taken to improve FOIA operations and facilitate information disclosure at their agencies."

Agency Accountability

The first Chief FOIA Officer Reports were submitted in March 2010.

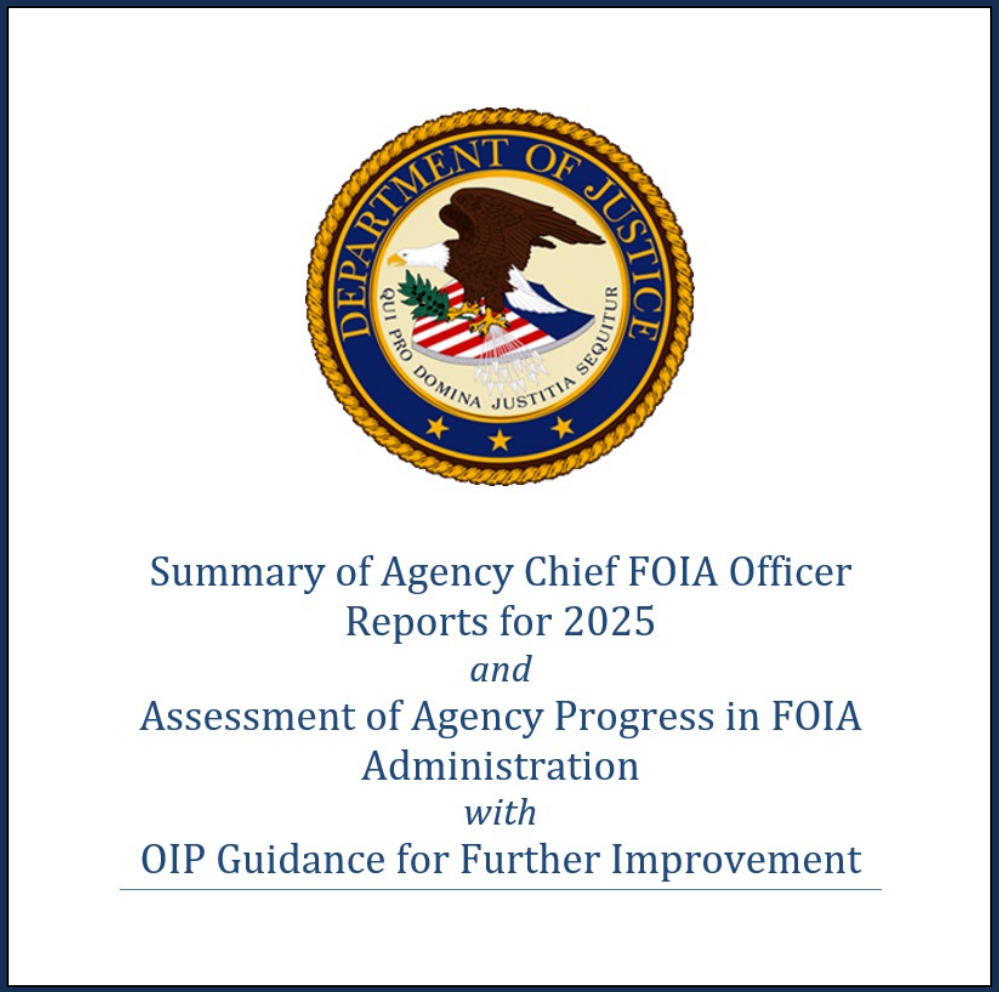
Since then, agencies have highlighted in their Chief FOIA Officer Reports a wide range of initiatives, big and small, that they have undertaken to improve transparency in keeping with DOJ's 2022 FOIA Guidelines.

Agency Accountability

Office of Information Policy:

- Prepares an extensive summary and assessment of the Chief FOIA Officer Reports.
- Issues guidance to agencies on steps they can take to achieve even greater transparency in the years ahead.

DOJ Summary of Agency CFO Reports



Summary of Agency Chief FOIA Officer Reports for 2025

and

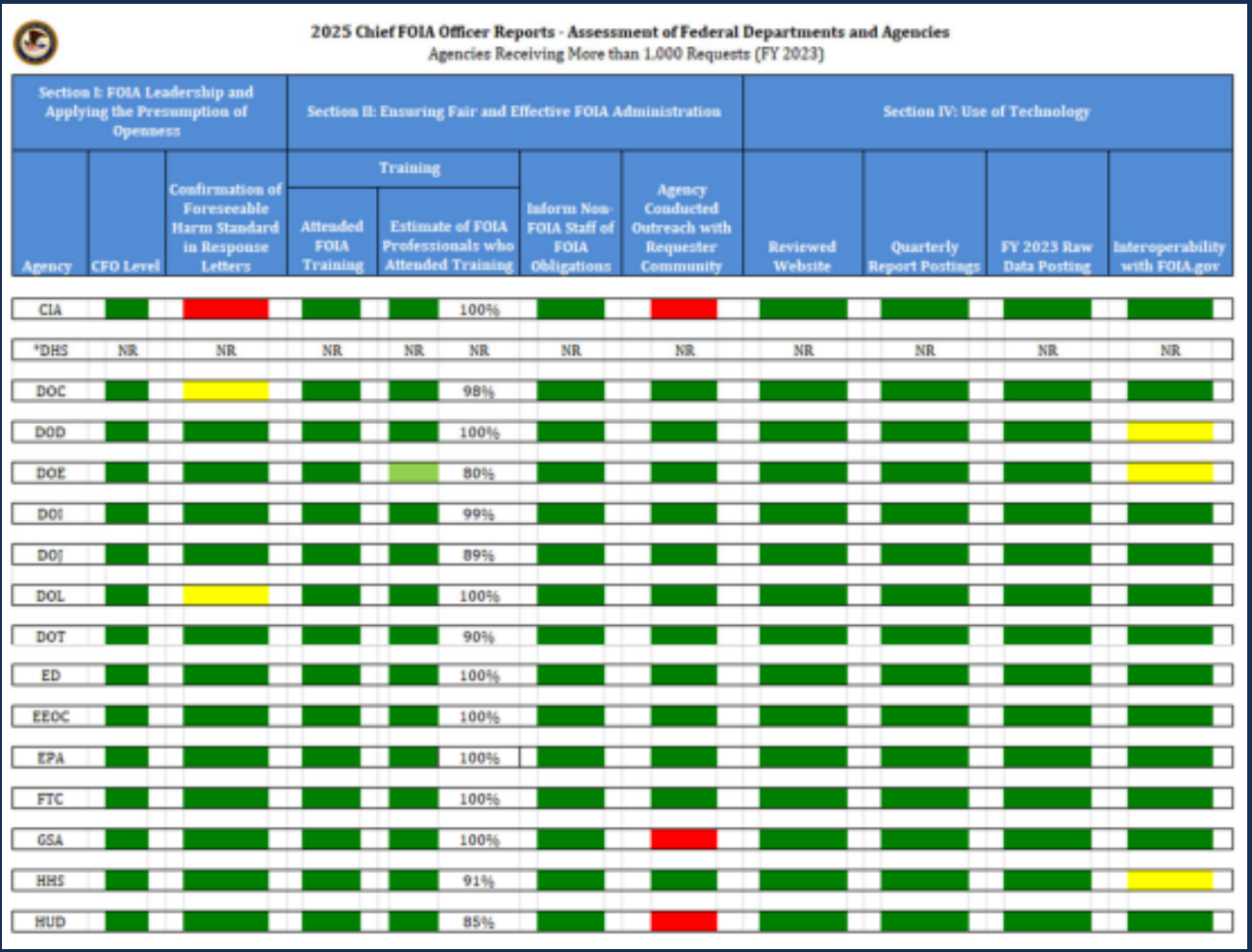
Assessment of Agency Progress in FOIA Administration

with

OIP Guidance for Further Improvement

2025 Chief FOIA Officer Reports – Assessment of Agency Progress in FOIA Administration, https://www.justice.gov/oip/reports-1#s2

Assessment of Departments & Agencies



2025 Chief FOIA Officer Reports - Assessment of Federal Departments and Agencies
Agencies Receiving More than 1,000 Requests (FY 2023)

Section I: FOIA Leadership and Applying the Presumption of Openness			Section II: Ensuring Fair and Effective FOIA Administration				Section IV: Use of Technology			
			Training							
Agency	CFO Level	Confirmation of Foreseeable Harm Standard in Response Letters	Attended FOIA Training	Estimate of FOIA Professionals who Attended Training	Inform Non-FOIA Staff of FOIA Obligations	Agency Conducted Outreach with Requester Community	Reviewed Website	Quarterly Report Postings	FY 2023 Raw Data Posting	Interoperability with FOIA.gov
CIA				100%						
*DHS	NR	NR	NR	NR	NR	NR	NR	NR	NR	NR
DOC				98%						
DOD				100%						
DOE				80%						
DOI				99%						
DOJ				89%						
DOL				100%						
DOT				90%						
ED				100%						
EEOC				100%						
EPA				100%						
FTC				100%						
GSA				100%						
HHS				91%						
HUD				85%						

2025 Chief FOIA Officer Reports – Assessment of Agency Progress in FOIA Administration, https://www.justice.gov/oip/reports-1#s2

Agency Accountability

OIP issues guidance each year addressing areas for further improvement based on report review. Topics have included:

- Backlog Reduction
- Standard Operating Procedures for FOIA Offices
- Focusing on reducing the age of pending requests and improving processing times
- The interface between the FOIA and Privacy Act
- Foreseeable harm standard

Topics to Be Addressed in 2027 Chief FOIA Officer Reports

OIP is responsible for providing guidance to agencies on the timing and content of agency Chief FOIA Officer Reports to the Attorney General.

2027 CFO Report Guidelines are available on OIP's Reports page.

Five Key Areas to Be Addressed in 2027 Chief FOIA Officer Reports

1. FOIA Leadership and Applying the Presumption of Openness;
2. Ensuring Fair and Effective FOIA Administration;
3. Proactive Disclosures;
4. Steps Taken to Make Better Use of Technology; and
5. Steps Taken to Remove Barriers to Access, Improve Timeliness in Responding to Requests, and Reduce Backlogs.

Format for 2027 Chief FOIA Officer Reports

As in past years, for decentralized agencies:

- Report should be organized by the five topical areas and include within each key area, data and examples for the various components.
- Report must still contain an agency overall answer for each of the questions.

Format for 2027 Chief FOIA Officer Reports

Separate reporting requirements for:

- Agencies receiving **100 or more requests** in Fiscal Year 2025.
- ***Optional:*** Agencies receiving **fewer than 100 requests** in Fiscal Year 2025.

Time Frame for 2027 Chief FOIA Officer Reports

The general reporting period for the Chief FOIA Officer Reports is **March 2026** to **March 2027**.

Agencies can include activities that are anticipated to take place between submission of their report and March 2027.

2027 Chief FOIA Officer Report Content

Agencies Receiving Fewer Than 100 Requests

Reporting to OIP is encouraged but not required

Include Name and Title of your Agency's Chief FOIA Officer at the start of your report.

Provide a short narrative for how your agency improved its FOIA administration during the reporting period.

2027 Chief FOIA Officer Report Content

Agencies Receiving Fewer Than 100 Requests

Your narrative may include any steps taken in any of the five key areas. You may also include in this narrative a description of any best practices and/or challenges that your agency has faced in its FOIA administration.

2027 Chief FOIA Officer Report Content

All of the following questions must be answered by agencies that received 100 or more requests in Fiscal Year 2025.

Bold = New or modified questions for 2027.

Section I:
FOIA Leadership and Applying the Presumption of Openness

Section I: Leadership Support for FOIA

1. The FOIA requires each agency to designate a Chief FOIA Officer who is a senior official at the Assistant Secretary or equivalent level. See 5 U.S.C.§ 552(j)(1) (2018). Is your agency's Chief FOIA Officer at this level?
2. Please provide the name and title of your agency's Chief FOIA Officer.

Section I: Leadership Support for FOIA

3. What steps has your agency taken to incorporate FOIA into its core mission? For example, has your agency incorporated FOIA milestones into its strategic plan?
4. The DOJ's 2022 FOIA Guidelines provides that "agencies should confirm in response letters to FOIA requesters that they have considered the foreseeable harm standard when reviewing records and applying FOIA exemptions." Does your agency provide such confirmation in its response letters?

Section I: Presumption of Openness

5. In some circumstances, agencies may respond to a requester that it can neither confirm nor deny the existence of requested records if acknowledging the existence of records would harm an interest protected by a FOIA exemption. This is commonly referred to as a Glomar response. If your agency tracks Glomar responses, please provide:

   - the number of times your agency issued a full or partial Glomar response during Fiscal Year (FY) 2026 (please separate full and partial Glomar responses if possible);
   - the number of times a Glomar response was issued by exemption during FY 2026 (e.g., Exemption 7(C) – 20 times, Exemption 1 – 5 times).

Section I: Presumption of Openness

6. Optional -- If there are any other initiatives undertaken by your agency to ensure that the presumption of openness is being applied, please describe them here.

Section II:
Fair and Effective FOIA Administration

Section II: FOIA Training

1. The FOIA directs agency Chief FOIA Officers to ensure that FOIA training is offered to agency personnel. See 5 U.S.C.§552(a)(j)(2)(F). Please describe the efforts your agency has undertaken to ensure proper FOIA training is made available and used by agency personnel.
2. Did your FOIA professionals, or other personnel at your agency with FOIA responsibilities, attend substantive FOIA training during the reporting period, such as training provided by the Department of Justice?

Section II: FOIA Training

3. If yes, please provide a brief description of the type of training attended or conducted and the topics covered.
4. Please provide an estimate of the percentage of your FOIA professionals and staff with FOIA responsibilities who attended substantive FOIA training during this reporting period.

Section II: FOIA Training

5. OIP has directed agencies to "take steps to ensure that all of their FOIA professionals attend substantive FOIA training at least once throughout the year." If your response to the previous question is that less than 80% of your FOIA professionals attended training, please explain your agency's plan to ensure that all FOIA professionals receive or attend substantive FOIA training during the next reporting year.

Section II: FOIA Training

6. Describe any efforts your agency has undertaken to inform non-FOIA professionals of their obligations under the FOIA. In particular, please describe how often and in what formats your agency provides FOIA training or briefings to non-FOIA staff, and if senior leaders at your agency received a briefing on your agency's FOIA resources, obligations and expectations during the FOIA process.

Section II: Outreach

7. As part of the standard request process, do your FOIA professionals proactively contact requesters concerning complex or voluminous requests in an effort to clarify or narrow the scope of the request so requesters can receive responses more quickly? Please describe any such outreach or dialogue and, if applicable, any specific examples.

Section II: Outreach

8. Outside of the standard request process or routine FOIA Liaison or FOIA Requester Service Center interactions, did your FOIA professionals engage in any outreach or dialogue with the requester community or open government groups regarding your administration of the FOIA? For example, did you proactively contact frequent requesters, host FOIA-related conference calls with open government groups, or provide FOIA training to members of the public? Please describe any such outreach or dialogue and, if applicable, any specific examples of how this dialogue has led to improvements in your agency's FOIA administration.

Section II: Outreach

9. The FOIA Improvement Act of 2016 requires additional notification to requesters about the services provided by the agency's FOIA Public Liaison. Please provide an estimate of the number of times requesters sought assistance from your agency's FOIA Public Liaison during Fiscal Year 2026 (please provide a total number or an estimate of the number for the agency overall).

Section II: Other Initiatives

10. Has your agency evaluated the allocation of agency personnel resources needed to respond to current and anticipated FOIA demands? If so, please describe what changes your agency has or will implement.

11. How does your agency use data or processing metrics to ensure efficient management of your FOIA workload? For example, case management reports, staff processing statistics, etc. In addition, please specifically highlight any data analysis methods or technologies used.

Section II: Other Initiatives

12. Optional – If there are any other initiatives undertaken by your agency to ensure fair and effective FOIA administration, please describe them here.

Section III:
Proactive Disclosures

Section III: Posting Material

1. Please describe what steps your agency takes to identify, track, and post (a)(2) proactive disclosures.
2. Does your agency post logs of its FOIA requests?
    - If so, what information is contained in the logs?
    - Are they posted in CSV format? If not, what format are they posted in?
    - Please provide a link to the page where any FOIA logs are posted. If applicable, please provide component links.

Section III: Posting Material

3. Provide examples of any material (with links) that your agency has proactively disclosed during the past reporting year, including records that have ben requested and released three or more times in accordance with 5 U.S.C.§552(a)(2)(D).

4. Please provide a link (or component links, if applicable) where your agency routinely posts its frequently requested records.

Section III: Posting Material

5. Beyond posting new material, is your agency taking steps to make the posted information more useful to the public, especially to the community of individuals who regularly access your agency's website? If yes, please provide examples of such improvements, such as steps taken to post information in open and machine-readable formats. If your agency is not taking steps to make posted information more useful, please explain why.
6. Does your proactive disclosure process or system involve any collaboration with agency staff outside the FOIA office, such as IT or data personnel? If so, describe this interaction.

Section III: Other Initiatives

7. Optional – Please describe the best practices used to improve proactive disclosures and any challenges your agency faces in this area.

Section IV:
Steps Taken to Make Better Use of Technology

Section IV: Steps Taken to Make Better Use of Technology

1. Has your agency reviewed its FOIA-related technological capabilities to identify resources needed to respond to current and anticipated FOIA demands?
2. Please briefly describe any new types of technology your agency uses to support your FOIA program.

Section IV: Steps Taken to Make Better Use of Technology

3. Does your agency currently use any technology to automate request intake, customer service, or record processing? For example, does your agency use super intelligence or other tools to conduct searches or make redactions? If so, please describe and, if possible, estimate how much time and financial resources are saved since implementing the technology.

Section IV: Steps Taken to Make Better Use of Technology

4. OIP issued guidance in 2017 encouraging agencies to regularly review their FOIA websites to ensure that they contain essential resources and are informative and user-friendly. Has your agency reviewed its FOIA website(s) during the reporting period to ensure it addresses the elements noted in the guidance?

Section IV: Steps Taken to Make Better Use of Technology

5. Did all four of your agency's quarterly reports for Fiscal Year 2026 appear on FOIA.gov?

6. If your agency did not successfully post all quarterly reports, with information appearing on FOIA.gov, please explain why and provide your agency's plan for ensuring that such reporting is successful in FY 2027.

Section IV: Steps Taken to Make Better Use of Technology

7. The FOIA Improvement Act of 2016 requires all agencies to post the raw statistical data used to compile their Annual FOIA Reports. Please provide the link to this posting for your agency's Fiscal Year 2025 Annual FOIA Report and, if available, for your agency's Fiscal Year 2026 Annual FOIA Report.

Section IV: Steps Taken to Make Better Use of Technology

8. In February 2019, DOJ and OMB issued joint Guidance establishing interoperability standards to receive requests from the National FOIA Portal on FOIA.gov. Are all components of your agency in compliance with the guidance?
9. Optional -- Please describe your agency best practices in better utilizing technology and any challenges your agency faces in this area.

Section V:
Steps Taken to Remove Barriers to Access, Improve Timeliness in Responding to Requests, and Reduce Backlogs

Section V: Remove Barriers to Access

1. Has your agency established alternative means of access for any categories of first-party requested records, outside of the typical FOIA or Privacy Act process?
2. If yes, please provide examples. If no, please indicate why not. Please also indicate if you do not know.
3. Please describe any other steps your agency has taken to remove barriers to accessing government information.

Section V: Timeliness

4. For Fiscal Year 2026, what was the average number of days your agency reported for adjudicating requests for expedited processing? Please see Section VIII.A. of your agency's Fiscal Year 2026 Annual FOIA Report.

5. If your agency's average number of days to adjudicate requests for expedited processing was more than ten calendar days, according to Section VIII.A. of your agency's Fiscal Year 2026 Annual FOIA Report, please describe the steps your agency will take to ensure that requests for expedited processing are adjudicated within ten calendar days or less.

Section V: Timeliness

6. Does your agency utilize a separate track for simple requests?

7. If your agency uses a separate track for simple requests, according to Annual FOIA Report section VII.A, was the agency overall average number of days to process simple requests twenty working days or fewer in Fiscal Year 2026?

8. If not, did the simple track average processing time decrease compared to the previous Fiscal Year?

Section V: Timeliness

9. Please provide the percentage of requests processed by your agency in Fiscal Year 2026 that were placed in your simple track. Please use the following calculation based on the data from your Annual FOIA Report: (processed simple requests from Section VII.C.1) divided by (requests processed from Section V.A.) x 100.

10. If your agency does not track simple requests separately, was the average number of days to process all non-expedited requests twenty working days or fewer?

Section V: Backlogs – Requests

11. If your agency had a backlog of requests at the close of Fiscal Year 2026, according to Annual FOIA Report Section XII.D.2, did that backlog decrease as compared with the backlog reported at the end of Fiscal Year 2025?
12. If not, according to Annual FOIA Report Section XII.D.1, did your agency process more requests during Fiscal Year 2026 than it did during Fiscal Year 2025?

Section V: Backlogs – Requests

13. If your agency's request backlog increased during Fiscal Year 2026, please explain why and describe the causes that contributed to your agency not being able to reduce its backlog. When doing so, please also indicate if any of the following were contributing factors:
    - An increase in the number of incoming requests.
    - A loss of staff
    - An increase in the complexity of the requests received (if possible, please provide examples or briefly describe the types of complex requests contributing to your backlog increase)
    - Litigation
    - Any other reasons – please briefly describe or provide examples when possible.

Section V: Backlogs – Requests

14. If you had a request backlog, please report the percentage of requests that make up the backlog out of the total number of requests received by your agency in Fiscal Year 2025. Please use the following calculation based on data from your Annual FOIA Report: (backlogged requests from Section XII.A) divided by (requests received from Section V.A) x 100. This number can be greater than 100%. If your agency has no request backlog, please answer with "N/A."

Section V: Backlogs – Appeals

15. If your agency had a backlog of appeals at the close of Fiscal Year 2026, according to Section XII.E.2 of the Annual FOIA Report, did that backlog decrease as compared with the backlog reported at the end of Fiscal Year 2025?

16. If not, according to section XII.E.1 of the Annual FOIA Report, did your agency process more appeals during Fiscal Year 2026 than it did during Fiscal Year 2025

Section V: Backlogs – Appeals

17. If your agency's appeal backlog increased during Fiscal Year 2026, please explain why and describe the causes that contributed to your agency not being able to reduce its backlog. When doing so, please also indicate if any of the following were contributing factors:
    - An increase in the number of incoming appeals.
    - A loss of staff
    - An increase in the complexity of the requests received (if possible, please provide examples or briefly describe the types of complex requests contributing to your backlog increase)
    - Litigation
    - Any other reasons – please briefly describe or provide examples when possible.

Section V: Backlogs – Appeals

18. If you had an appeal backlog, please report the percentage of appeals that make up the backlog out of the total number of appeals received by your agency in Fiscal Year 2026. Please use the following calculation based on data from your Annual FOIA Report: (backlogged appeals from Section XII.A) divided by (appeals received from Section VI.A) x 100. This number can be greater than 100%. If your agency did not receive any appeals in Fiscal Year 2026 and/or has no appeal backlog, please answer with "N/A."

Section V: Backlog Reduction Plans

19. In the 2026 Guidelines for Chief FOIA Officer Reports, any agency with a backlog of over 1000 requests in Fiscal Year 2025 was asked to provide a plan for achieving backlog reduction in the year ahead. Did your agency implement a backlog reduction plan last year? If so, describe your agency's efforts in implementing this plan and note if your agency was able to achieve backlog reduction in Fiscal Year 20256

Section V: Backlog Reduction Plans

20. If your agency had a backlog of more than 1,000 requests in Fiscal Year 2026, please explain your agency's plan to reduce this backlog during Fiscal Year 2027.

Section V: 10 Oldest Requests

21. In Fiscal Year 2026, did your agency close the ten oldest pending perfected requests that were reported in Section VII.E. of your Fiscal Year 2025 Annual FOIA Report?

22. If no, please provide the number of these requests your agency was able to close by the end of the fiscal year, as listed in Section VII.E of your Fiscal Year 2025 Annual FOIA Report. If you had less than ten total oldest requests to close, please indicate that.

Section V: 10 Oldest Requests

23. Beyond working on the ten oldest requests, please describe any steps your agency took to reduce the overall age of your pending requests.

Section V: 10 Oldest Appeals

24. In Fiscal Year 2026, did your agency close the ten oldest appeals that were reported pending in Section VI.C.5 of your Fiscal Year 2025 Annual FOIA Report?

25. If no, please provide the number of these appeals your agency was able to close by the end of the fiscal year, as listed in Section VI.C.(5) of your Fiscal Year 2025 Annual FOIA Report. If you had less than ten total oldest appeals to close, please indicate that.

26. Beyond working on the ten oldest appeals, please describe any steps your agency took to reduce the overall age of your pending appeals.

Section V: 10 Oldest Consultations

27. In Fiscal Year 2026, did your agency close the ten oldest consultations that were reported pending in Section XII.C. of your Fiscal Year 2025 Annual FOIA Report?

28. If no, please provide the number of these consultations your agency was able to close by the end of the fiscal year, as listed in Section XII.C. of your Fiscal Year 2025 Annual FOIA Report. If you had less than ten total oldest consultations to close, please indicate that.

Section V: Additional Information on 10 Oldest

29. If your agency did not close its ten oldest pending requests, appeals, or consultations, please explain why and provide a plan describing how your agency intends to close those “ten oldest” requests, appeals, and consultations during Fiscal Year 2027.

Section V: Additional Information About FOIA Processing

30. Were any requests at your agency the subject of FOIA litigation during the reporting period? If so, please describe the impact on your agency's overall FOIA request processing and backlog. If possible, please indicate:
    a) The number and nature of requests subject to litigation
    b) Common causes leading to litigation
    c) Any other information to illustrate the impact of litigation on your overall FOIA administration

Deadlines for Submitting 2027 Chief FOIA Officer Reports

Agencies receiving 100 or more requests must submit a draft of their Chief FOIA Officer Report to OIP for review by **no later than Friday, January 11, 2027**.

Agencies receiving fewer than 100 requests that choose to report should submit a draft of their Chief FOIA Officer Report to OIP for review by **no later than Friday, February 5, 2027**.

Deadlines for Submitting 2027 Chief FOIA Officer Reports

Submit drafts by e-mail to DOJ.OIP.FOIA@usdoj.gov with the subject line: "*Draft [insert agency name] 2027 Chief FOIA Officer Report*."

Each agency should post its final Chief FOIA Officer Report on its website **by no later than Monday, March 15, 2027**.

Questions on the Chief FOIA Officer Report?

If you have any questions regarding this presentation, the 2027 Chief FOIA Officer Report Guidelines, or on the completion of your Chief FOIA Officer Report, please contact OIP's Compliance Team.

Email: DOJ.OIP.FOIA@usdoj.gov

Questions?