

Agency FOIA Reporting Obligations At-A-Glance

Annual FOIA Report

In accordance with the FOIA, each year agencies submit to the Attorney General a report covering the prior fiscal year that includes numerous details regarding the agency's administration of the FOIA. [5 U.S.C. § 552\(e\)\(1\) \(2018\)](#). The FOIA also provides that "[t]he Attorney General . . . in consultation with the Director of the Office of Management and Budget (OMB), shall develop reporting and performance guidelines in connection with reports required by this subsection . . . and may establish additional requirements for such reports as the Attorney General determines may be useful." [Id. § 552\(e\)\(5\)](#).

- *Key Resources:* [DOJ Annual FOIA Report Handbook](#) and [Statutes Found to Qualify under Exemption 3 of the FOIA](#).

Chief FOIA Officer Report

In accordance with the FOIA, each agency Chief FOIA Officer must “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 [the FOIA].” [5 U.S.C § 552\(j\)\(2\)\(D\)](#).

- *Key Resource:* [Guidelines for 2021 Chief FOIA Officer Reports](#)

Quarterly FOIA Reports

In accordance with the FOIA, the Department of Justice requires agencies to provide quarterly reporting of four key FOIA statistics so that they can be posted on [FOIA.gov](#). See [5 U.S.C. § 552\(e\)\(5\), \(j\)\(2\)\(D\)](#).

- *Key Resource:* [Guidance for Quarterly FOIA Reporting](#)

Process and Timeline

October 1, 2020

1. Agencies should begin working on verifying their Annual FOIA Report data before aggregating the data to create their Annual FOIA Report.
 - a. The most effective way to do this is to review the raw data for any discrepancies and to ensure all requests, appeals, and consultations for the fiscal year have been accounted for. For example, this can include comparing dispositions with perfected dates to ensure any unperfected requests do not have perfected dates. You can also check to confirm that any full denials based on exemptions have a corresponding exemption that was used.
2. After verifying the accuracy of their raw data or the data in their systems, agencies should complete the required NIEM-XML version of their Annual FOIA Report using the [FOIA.gov](#) Annual Report Tool as described in the [Annual FOIA Report Handbook](#).
3. Once the data has been uploaded into the [FOIA.gov](#) Annual Report Tool agencies must review each section of the report to resolve any red cells indicating data validation issues.
 - a. Agencies should notify OIP of any component changes or you are asserting an Exemption 3 statute that does not appear on OIP's list of [Statutes Found to Qualify under Exemption 3 of the FOIA](#).

November 16, 2020

4. Agencies must submit the NIEM-XML version of their Annual FOIA Report to OIP for review **by no later than November 16.**
5. Agencies should promptly make any necessary corrections resulting from the OIP review process.
6. Agencies should use the charts provided by OIP to complete the human-readable version of their Annual FOIA Report.

January 11, 2021

7. Agencies that received more than 50 requests in Fiscal Year 2019 are required to submit their Chief FOIA Officer Reports to OIP for review in accordance with the [Guidelines for 2021 Chief FOIA Officer Reports](#).

January 29, 2021

8. Agencies are required to post their Quarterly Report for the first quarter of Fiscal Year 2021. *See [Guidance for Quarterly FOIA Reporting](#).*

February 12, 2021

9. Agencies that received 50 requests or less in Fiscal Year 2019 may submit their Chief FOIA Officer Reports to OIP. Agencies in this category are encouraged but not required to provide a Chief FOIA Officer Report in accordance with the [Guidelines for 2021 Chief FOIA Officer Reports](#).

Before March 1, 2021

10. Agencies should post both the open format NIEM-XML and human-readable versions of their Fiscal Year 2020 Annual FOIA Reports on their websites. Once posted, email OIP with the link to your agency's report.
 - a. As soon as practical after posting the Annual FOIA Report, agencies should post the raw data for their Annual FOIA Report as well. Note: OIP will collect links for the raw data postings during the Chief FOIA Officer Report process.

March 15, 2021

11. Agencies are required to post their 2021 Chief FOIA Officer Reports online. Once posted, email OIP with the link to your agency's report.

April 30, 2021

12. Agencies are required to post their Quarterly Report for the second quarter of Fiscal Year 2021. *See [Guidance for Quarterly FOIA Reporting](#).*

July 30, 2021

13. Agencies are required to post their Quarterly Report for the third quarter of Fiscal Year 2021. *See [Guidance for Quarterly FOIA Reporting](#).*

October 29, 2021

14. Agencies are required to post their Quarterly Report for the fourth quarter of Fiscal Year 2021. *See [Guidance for Quarterly FOIA Reporting](#).*