

HR 1211

FOIA Act

Congress: 113 (2013–2015, Ended)

Chamber: House

Policy Area: Government Operations and Politics

Introduced: Mar 15, 2013

Current Status: Received in the Senate and Read twice and referred to the Committee on the Judiciary.

Latest Action: Received in the Senate and Read twice and referred to the Committee on the Judiciary. (Feb 26, 2014)

Official Text: <https://www.congress.gov/bill/113th-congress/house-bill/1211>

Sponsor

Name: Rep. Issa, Darrell E. [R-CA-49]

Party: Republican • **State:** CA • **Chamber:** House

Cosponsors (2 total)

Cosponsor	Party / State	Role	Date Joined
Rep. Cummings, Elijah E. [D-MD-7]	D · MD		Mar 15, 2013
Rep. Quigley, Mike [D-IL-5]	D · IL		Apr 15, 2013

Committee Activity

Committee	Chamber	Activity	Date
Judiciary Committee	Senate	Referred To	Feb 26, 2014
Oversight and Government Reform Committee	House	Reported By	Jul 16, 2013

Subjects & Policy Tags

Policy Area:

Government Operations and Politics

Related Bills

Bill	Relationship	Last Action
113 S 2520	Related bill	Dec 9, 2014: Held at the desk.

FOIA Oversight and Implementation Act of 2014 or the FOIA ACT - (Sec. 2) Amends the Freedom of Information Act (FOIA) to:

- require federal agencies to make disclosable public records available in an electronic, publicly accessible format;
- require the Office of Management and Budget (OMB) to ensure the existence and operation of a single, free website for submitting requests for records, receiving automated information about the status of a FOIA request, and filing appeals;
- prohibit an agency from withholding information under FOIA unless such agency reasonably foresees that disclosure would cause specific identifiable harm to an interest protected by an exemption under FOIA or if disclosure is prohibited by law (presumption of openness);
- expand the functions and reporting requirements of the Office of Government Information Services within the National Archives and Record Administration (NARA);
- require the Office of Government Information Services to offer mediation services to resolve disputes concerning the disclosure of information under FOIA;
- expand the rights of individuals making a FOIA request to appeal an adverse determination;
- require agencies to determine whether the release of agency records would contribute significantly to public understanding of the operations or activities of government;
- require agencies to document additional search or duplication fees;
- require agencies to submit annual FOIA reports to the Director of the Office of Government Information Services, in addition to the Attorney General;
- expand the duties of the Chief FOIA Officer of each agency to require an annual compliance review of FOIA requirements;
- establish the Chief FOIA Officers Council to develop recommendations for increasing compliance with FOIA requirements; and
- require each agency to update its FOIA regulations within 180 days of the enactment of this Act.

Requires the Director of the Office of Information Policy of the Department of Justice (DOJ) to submit biennial reports to the House Committee on Oversight and Government Reform and the Senate Committees on Homeland Security and Governmental Affairs and the Judiciary identifying categories of records that would be appropriate for proactive disclosure under FOIA.

(Sec. 3) Requires OMB to establish: (1) a three-year pilot program to review the benefits of a centralized portal to process requests and release information as required by FOIA, and (2) a plan to evaluate the functionality and benefits of such a portal to receive and track FOIA requests by selecting no fewer than three agencies that have not previously participated in such a portal.

Requires the head of each federal agency participating in the pilot program to: (1) report to Congress on the impact of the program on agency processes under FOIA and on whether the agency will continue to participate in the centralized portal, and (2) make such report available in an electronic, publicly accessible format.

(Sec. 4) Requires the Inspector General of each federal agency to: (1) periodically review compliance with FOIA disclosure requirements, including the timely processing of requests, the assessment of fees and fee waivers, and the use of disclosure exemptions; and (2) make recommendations to the head of an agency, including recommendations for disciplinary action. Makes the improper withholding of information under FOIA a basis for disciplinary action.

(Sec. 5) Directs the Archivist of the United States to establish an Open Government Advisory Committee as an independent advisory committee to make recommendations for improving government transparency.

(Sec. 6) Prohibits the authorization of additional funds to carry out the requirements of this Act.

Actions Timeline

- **Feb 26, 2014:** Received in the Senate and Read twice and referred to the Committee on the Judiciary.
- **Feb 25, 2014:** Mr. Issa moved to suspend the rules and pass the bill, as amended. (consideration: CR H1887)
- **Feb 25, 2014:** Considered under suspension of the rules. (consideration: CR H1887-1891)
- **Feb 25, 2014:** DEBATE - The House proceeded with forty minutes of debate on H.R. 1211.
- **Feb 25, 2014:** At the conclusion of debate, the Yeas and Nays were demanded and ordered. Pursuant to the provisions of clause 8, rule XX, the Chair announced that further proceedings on the motion would be postponed.
- **Feb 25, 2014:** Considered as unfinished business. (consideration: CR H1921-1922)
- **Feb 25, 2014:** Passed/agreed to in House: On motion to suspend the rules and pass the bill, as amended Agreed to by the Yeas and Nays: (2/3 required): 410 - 0 (Roll no. 63).(text: CR H1887-1890)
- **Feb 25, 2014:** On motion to suspend the rules and pass the bill, as amended Agreed to by the Yeas and Nays: (2/3 required): 410 - 0 (Roll no. 63). (text: CR H1887-1890)
- **Jul 16, 2013:** Reported (Amended) by the Committee on Oversight and Government Reform. H. Rept. 113-155.
- **Jul 16, 2013:** Placed on the Union Calendar, Calendar No. 112.
- **Mar 20, 2013:** Committee Consideration and Mark-up Session Held.
- **Mar 20, 2013:** Ordered to be Reported (Amended) by Voice Vote.
- **Mar 15, 2013:** Introduced in House
- **Mar 15, 2013:** Referred to the House Committee on Oversight and Government Reform.