

S 337

FOIA Improvement Act of 2016

Congress: 114 (2015–2017, Ended)

Chamber: Senate

Policy Area: Government Operations and Politics

Introduced: Feb 2, 2015

Current Status: Became Public Law No: 114-185.

Latest Action: Became Public Law No: 114-185. (Jun 30, 2016)

Law: 114-185 (Enacted Jun 30, 2016)

Official Text: <https://www.congress.gov/bill/114th-congress/senate-bill/337>

Sponsor

Name: Sen. Cornyn, John [R-TX]

Party: Republican • **State:** TX • **Chamber:** Senate

Cosponsors (5 total)

Cosponsor	Party / State	Role	Date Joined
Sen. Grassley, Chuck [R-IA]	R · IA		Feb 2, 2015
Sen. Leahy, Patrick J. [D-VT]	D · VT		Feb 2, 2015
Sen. Coons, Christopher A. [D-DE]	D · DE		Feb 9, 2015
Sen. Fischer, Deb [R-NE]	R · NE		Feb 11, 2015
Sen. Tester, Jon [D-MT]	D · MT		Mar 14, 2016

Committee Activity

Committee	Chamber	Activity	Date
Judiciary Committee	Senate	Reported By	Feb 9, 2015

Subjects & Policy Tags

Policy Area:

Government Operations and Politics

Related Bills

Bill	Relationship	Last Action
114 HR 653	Related bill	Jan 12, 2016: Received in the Senate and Read twice and referred to the Committee on the Judiciary.

(This measure has not been amended since it was passed by the Senate on March 15, 2016. The summary of that version is repeated here.)

FOIA Improvement Act of 2016

(Sec. 2) This bill amends the Freedom of Information Act (FOIA) to:

- require federal agencies to make their disclosable records and documents available for public inspection in an electronic format;
- require agencies to make available for inspection in an electronic format records that have been requested three or more times (frequently requested records);
- prohibit an agency from charging a fee for providing records if the agency misses a deadline for complying with an FOIA request unless unusual circumstances apply and more than 5,000 pages are necessary to respond to the request;
- prohibit an agency from withholding information requested under FOIA unless the agency reasonably foresees that disclosure would harm an interest protected by a FOIA exemption or disclosure is prohibited by law (presumption of openness);
- limit the FOIA exemption for agency communications to allow the disclosure of agency records created 25 years or more before the date of a FOIA request;
- require the Office of Government Information Services (OGIS) to offer mediation services to resolve disputes between agencies and FOIA requesters;
- expand the authority and duties of the Chief FOIA Officer of each agency to require officers to serve as the primary agency liaison with OGIS and the Office of Information Policy;
- establish a Chief FOIA Officers Council to develop recommendations for increasing compliance and efficiency in responding to FOIA requests, disseminating information about agency experiences, identifying, developing, and coordinating initiatives to increase transparency and compliance, and promoting performance measures to ensure agency compliance with FOIA requirements; and
- require the Director of the Office of Management and Budget to ensure the operation of a consolidated online request portal that allows a member of the public to submit a request for records to any agency from a single website.

(Sec. 3) The head of each agency (i.e., each authority of the U.S. government, excluding the Congress, U.S. courts, governments of U.S. territories and possessions, and the government of the District of Columbia) is required to: (1) review agency regulations and issue regulations on procedures for disclosure of records in accordance with the amendments made by this bill, and (2) include in such regulations procedures for engaging in dispute resolution through the FOIA Public Liaison and OGIS.

(Sec. 4) The program for the efficient management of federal agency records is expanded to require agency heads to establish procedures for: (1) identifying records of general interest or use to the public that are appropriate for public disclosure, and (2) posting such records in a publicly-accessible electronic format.

(Sec. 5) No additional funds are authorized to carry out the requirements of this bill.

(Sec. 6) This bill shall take effect on its enactment date and shall apply to all FOIA requests for records made after its enactment date.

Actions Timeline

- **Jun 30, 2016:** Signed by President.
- **Jun 30, 2016:** Became Public Law No: 114-185.
- **Jun 22, 2016:** Presented to President.
- **Jun 13, 2016:** Mr. Meadows moved to suspend the rules and pass the bill.
- **Jun 13, 2016:** Considered under suspension of the rules. (consideration: CR H3714-3719)
- **Jun 13, 2016:** DEBATE - The House proceeded with forty minutes of debate on S. 337.
- **Jun 13, 2016:** Passed/agreed to in House: On motion to suspend the rules and pass the bill Agreed to by voice vote.(text: CR H3714-3716)
- **Jun 13, 2016:** On motion to suspend the rules and pass the bill Agreed to by voice vote. (text: CR H3714-3716)
- **Jun 13, 2016:** Motion to reconsider laid on the table Agreed to without objection.
- **Mar 16, 2016:** Message on Senate action sent to the House.
- **Mar 16, 2016:** Received in the House.
- **Mar 16, 2016:** Held at the desk.
- **Mar 15, 2016:** Measure laid before Senate by unanimous consent. (consideration: CR S1494-1496)
- **Mar 15, 2016:** Passed/agreed to in Senate: Passed Senate with an amendment by Unanimous Consent.
- **Mar 15, 2016:** Passed Senate with an amendment by Unanimous Consent.
- **Feb 23, 2015:** By Senator Grassley from Committee on the Judiciary filed written report. Report No. 114-4. Additional views filed.
- **Feb 9, 2015:** Committee on the Judiciary. Reported by Senator Grassley without amendment. Without written report.
- **Feb 9, 2015:** Placed on Senate Legislative Calendar under General Orders. Calendar No. 17.
- **Feb 5, 2015:** Committee on the Judiciary. Ordered to be reported without amendment favorably.
- **Feb 2, 2015:** Introduced in Senate
- **Feb 2, 2015:** Read twice and referred to the Committee on the Judiciary. (text of measure as introduced: CR S699-701)