

**2024 Chief FOIA Officer Report Guidelines –
Agencies Receiving Less Than 50 Requests in Fiscal Year 2022**

1. The name and title of your agency’s Chief FOIA Officer

Valencia R. Rainey, Acting General Counsel

- 2. A short narrative for how your agency improved its FOIA administration during the reporting period. Your narrative may include any steps taken to: apply the presumption of openness; ensure that your agency has a fair and effective FOIA administration; increase proactive disclosures; greater utilize technology; and, remove barriers to access, improve timeliness in responding to requests, and reducing any backlogs. 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.**

The National Endowment for the Arts (NEA) is a small agency with approximately 154 staff members and no agency components. The agency’s FOIA staffing is correspondingly lean. The FOIA Officer processes all of the NEA’s FOIA requests. The FOIA Officer’s work is supervised by the FOIA Public Liaison and the Chief FOIA Officer as needed.

The NEA is committed to making its work more transparent and recognizes that FOIA is a fundamental element of open government. By applying a presumption of openness and maintaining effective FOIA operations, the agency seeks to expand the availability of its information to the public.

Compliance with all FOIA requirements is a top priority of the agency. The NEA has no FOIA backlog and improved its response time for simple requests by 20% even though the request volume increased by 150% and many of them required additional legal research and analysis. In addition, following the Office of Information Policy’s guidance, the NEA has begun including the foreseeable harm standard language in its FOIA responses that apply FOIA exemptions.

The agency’s proactive disclosure measures include: coordination with its program offices to evaluate whether any existing documents in the FOIA Reading Room need to be updated or any new documents need to be added; provision of links to the agency webpages and/or documents that may aid the FOIA requesters in their search for information even when the original request language is vague or does not have directly responsive records; and ongoing addition and update of information on the agency website regarding the agency’s programs and operations.

The Chief FOIA Officer provided a FOIA briefing to senior executives during this reporting period, reiterating the various FOIA requirements and the Office of Information Policy's request that FOIA milestones be incorporated in agency strategic plans. Efforts are underway to incorporate FOIA milestones in the next round of agency strategic plan. The NEA Office of Inspector General's 2020-2024 Strategic Plan currently references FOIA. In FY 2024, the Chief FOIA Officer plans to provide a similar briefing to the agency staff who assist the FOIA office in responding to FOIA requests.