# How to Search for Records for a FOIA Request

The Freedom of Information Act (FOIA) gives the public the right to request access to records from any federal government agency. As a records manager, your work is essential to the FOIA process and transparent, responsive government.

### The Search Process

This job aid will demonstrate the basic steps you will need to take when you receive a FOIA request from your agency's FOIA team.

Upon receipt of a FOIA request, your agency's FOIA team or records management network (depending on your agency's procedures) will contact the individuals or departments most likely to have the responsive records. If you receive a request directly from a requester, contact your FOIA team immediately.

The basic steps in the search process are:



If you are asked to search for records in response to a request, check your agency's specific policies and procedures to ensure that you are following all the correct steps for your situation.

## Step 1: Review the request

#### 1.1 Read the request and brainstorm search terms.

Review the request and make a list of the keywords and search terms you will need to use.

Sample request:	Search term ideas:
Defenders of Wildlife respectfully requests copies of records held by the Department of the Interior, U.S. Fish and Wildlife Service pertaining to the removal of the Gray Wolf Northern Rocky Mountain District Population Segment from the list of endangered species.	<ul> <li>Gray wolf</li> <li>Northern Rocky Mountain District Population Segment</li> <li>Endangered Species List</li> </ul>

### 1.2 Use search tips to complete your list.

- Include alternate spellings ("grey" wolf and "gray" wolf).
- Include variations on words as needed (wolf, wolves).
- Consider related terms (appointment calendar, diary, schedule, agenda).
- Search for both acronyms and terms spelled out (EPA, Environmental Protection Agency).
- Remember to include punctuation where appropriate (EPA, E. P. A.).
- Identify any time spans and dates described in the request.
- Consider how dates are formatted in your office or program (31 Oct 2019, 10-31-2019, 10/31/19, 2019-10-31).
- Consult your program colleagues and your FOIA team as needed to identify, clarify, and select the right search terms.

# Step 2: Create your search strategy

### 2.1 Check records management tools.

Consult your office's records management tools to identify the best places to search for records that might be responsive to the request.

Records and information management tools to consult include:

- File plans
- Records schedules
- Records management systems and databases
- Information system inventories
- Data maps

### 2.2 Identify potentially relevant series and locations.

Use your list of potential search terms to identify relevant record series, information systems, and collections. Note the systems and locations you should search for records related to the request.

Include all reasonable formats and locations in your plan, including:

- Electronic systems
- Emails
- Shared drives and computer drives
- Paper records

### Step 3: Look for the records

#### 3.1 Search for the records.

Consult the locations you identified in <u>Step 2</u>. Search the collections of records using the key terms you identified in <u>Step 1</u>. Return to the original request and your list of search terms as needed to confirm that the information could be responsive to the request.

If records are currently checked out from their storage locations, contact the record holders to locate the missing records.

### Step 4: Document your search

### 4.1 Describe where you searched.

List who searched and where you searched, including offices, databases, and files.

4.2 List the search terms you used.

List the key words and phrases you used when conducting your search.

4.3 List anyone you consulted.

Note the offices, programs, and individuals you consulted as part of your search.

4.4 Report the time it took you to perform the search.

List the date(s) of your search and the amount of time the search took.

### Step 5: Copy the files as needed

Follow your agency's procedures to make copies (if required) and assemble the records you'll provide to the FOIA team.

### Step 6: Deliver the copies to the team

Deliver the files and the statement documenting your search to your FOIA team, manager, or records team according to your agency's procedures.

# FOIA Terms for Records Managers

### FOIA

The Freedom of Information Act was signed into law in 1966. The FOIA provides individuals with a statutory right of access to certain federal agency records. The FOIA requires agencies to disclose requested records unless they are protected from public disclosure by the FOIA.

### **Exemptions and Exclusions**

Congress included in the FOIA nine exemptions and three law enforcement exclusions to protect important interests such as national security, personal privacy, privileged communications, and law enforcement. Your FOIA team will screen records against these exemptions before records are released.

#### **FOIA Library**

Agencies post proactive disclosures of some records in an online FOIA library on their websites. The public can view and inspect agency records in the FOIA library to see if the material is available without the need to make a FOIA request.

#### **FOIA Request**

A request submitted to a federal agency asking for access to agency records on any topic. A FOIA request can generally be made by any person to any federal agency. Requesters must reasonably describe the records they are seeking and comply with agency regulations for making FOIA requests.

#### **Responsive Records**

Agency information that falls within the scope of the FOIA request. A search under the FOIA may include information beyond the traditional records management definition of a federal record, including drafts or convenience copies.

Learn more about the Freedom of Information Act at <u>FOIAOnline.gov</u>.