



The Freedom of Information Act (FOIA) at DOT

What is the Freedom of Information Act (5 U.S.C. § 552)?

FOIA gives the public the right to request Federal agency records and requires Federal agencies to make certain records available on their websites. FOIA helps the public better understand the government’s actions.

Who can submit a FOIA request?

Anyone can submit a FOIA request, for any reason. At DOT, we receive FOIA requests from journalists, non-profit organizations, companies, researchers, attorneys, employees, state and local governments, and individual citizens.



What is “FOIA-able”?

FOIA requesters may request agency records. An agency record is one created or obtained by an agency and within the agency’s possession or control at the time the FOIA request is made. Agency records can include paper documents, calendars, photographs, emails, audio and video records, and other electronic records – including text messages.



How does the process work?

Step 1: A request is submitted to DOT for records.

Step 2: The agency searches for responsive records.

Step 3: FOIA professionals review the records for releasability, coordinating with the record holder as needed.

Step 4: The agency responds to the requester and releases disclosable (non-exempt) information.



When must DOT reply to a request?

Generally, an agency has 20 working days to process a FOIA request, unless there are unusual circumstances.

What will be released?

DOT releases records that are responsive to FOIA requests, except portions containing information protected from public release by law. FOIA includes nine exemptions that allow agencies to withhold certain information, protecting interests such as personal privacy, confidential commercial or financial information, and national security.



Who is responsible for FOIA at DOT?

At **DOT**, FOIA is **everyone’s** responsibility. Any documents you create or maintain as part of your job may be responsive to a FOIA request. FOIA professionals at DOT receive and respond to FOIA requests, but they may call on you for assistance in searching for responsive records and reviewing those records for release. For more information about DOT’s program, see <https://www.transportation.gov/foia>.