



ADMINISTRATIVE CONFERENCE OF THE UNITED STATES

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Information Interchange Bulletin No. 002

Availability of Information on Agency Websites

What pages must agencies maintain on their websites?

Electronic Reading Room

Agencies must proactively disclose certain Freedom of Information Act (FOIA) materials electronically (5 U.S.C. § 552(a)(2)). Agencies often call the sections of their websites where these materials are housed “electronic reading rooms.”

E-Government Act of 2002

The E-Government Act (44 U.S.C. § 3501 note) requires agencies to publish online all materials listed in 5 U.S.C. §§ 552(a)(1) and (a)(2).

Open Government

Agencies must maintain an Open Government page at [agency].gov/open (OMB M-16-16), a listing of public data at [agency].gov/data (OMB M-17-06), and a digital governance strategy at [agency].gov/digitalstrategy (OMB M-17-06).

Plain Writing

Agencies must maintain a plain writing section to host compliance reports and receive public input (5 U.S.C. § 301 note).

Office of the Inspector General

Agencies must link to their OIG website on their homepages (5 U.S.C. App. 8M).

This is not an exhaustive list. Agencies must comply with all publication requirements specified by law or policy.

What information must agencies publish on their websites?

Federal statutes require agencies to make the following materials publicly available on their websites. This is not an exhaustive list. Agencies must comply with all publication requirements specified by law or policy.

Agency strategic plans	5 U.S.C. § 306(a)
Plain writing policy and reports	5 U.S.C. § 301 note
Description of central and field organization	5 U.S.C. § 552(a)(1)*
How and where to obtain information, make submittals or requests, or obtain decisions	5 U.S.C. § 552(a)(1)*
Statements of the general course and method by which functions are channeled and determined	5 U.S.C. § 552(a)(1)*
Rules of procedure	5 U.S.C. § 552(a)(1)*
Descriptions of forms and where to obtain them	5 U.S.C. § 552(a)(1)*
Scope and contents of papers, reports, examinations	5 U.S.C. § 552(a)(1)*
Substantive rules of general applicability	5 U.S.C. § 552(a)(1)*
Statements of general policy and interpretations of general applicability	5 U.S.C. § 552(a)(1)*
Policy statements and interpretations not published in the <i>Federal Register</i>	5 U.S.C. § 552(a)(2)
Adjudication opinions and orders	5 U.S.C. § 552(a)(2)
Administrative staff manuals and instructions to staff that affect a member of the public	5 U.S.C. § 552(a)(2)
Commonly requested FOIA releases	5 U.S.C. § 552(a)(2)
Index of commonly requested FOIA releases	5 U.S.C. § 552(a)(2)
FOIA request information	5 U.S.C. § 552 note
Small entity compliance guides	5 U.S.C. § 601 note
Equal employment opportunity complaint data	5 U.S.C. § 2301 note
Whistleblower protections	5 U.S.C. § 2302 note
Nondisclosure policies, forms, agreements	5 U.S.C. § 2302 note
Employee survey results	5 U.S.C. § 7101 note
Inspector General reports and audits	5 U.S.C. App. 8M
Records of general interest or public use	44 U.S.C. § 3102
Statistical agency standards and policies	44 U.S.C. § 3582

* See note on E-Government Act of 2002 to left.

Additional Resources

[Digital.gov](#) (General Services Administration)
 OMB [M-17-06](#), Policies for Federal Agency Public Websites and Digital Services
 Cary Coglianese, [Public Availability of Agency Guidance Documents](#) (May 2019)
 ACUS Rec. [2019-3](#), *Public Availability of Agency Guidance Documents*
 ACUS Rec. [2018-5](#), *Public Availability of Adjudication Rules*
 ACUS Rec. [2017-1](#), *Adjudication Materials on Agency Websites*