

North America and Caribbean Regional Report

**ICIC Closed Session
September 30, 2026**

Presented by Caroline Maynard,
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Information
Commissioner
of Canada

Commissaire
à l'information
du Canada

United States of America

U.S. Federal Freedom of Information Act (FOIA): Demand is Outpacing Capacity

Record demand
1.7M
requests
received

+13.7% vs FY 2024



Capacity pressure
FOIA staff
down **16%**

15 Cabinet departments + 10 independent agencies



Rising backlogs
339,671
backlogged
requests

+27% governmentwide vs FY 2024

Why Does This Matter For ICIC Community?

The U.S. experience reflects a shared access-to-information challenge that other countries may also be facing: growing public demand + reduced capacity + rising backlogs = result in need for decisions regarding how to equitably handle increased requests and backlogs, resources, possible need for statutory reform, and more aggressive adoption of effective technology, including Artificial Intelligence.

1.64M

requests processed
+135,790 vs FY 2024

117

agencies covered
FY 2025 Annual FOIA Reports

4,823

full-time federal Freedom of Information Act staff

0.38%

FOIA fees collected

Only **0.38%** of the federal government's total FOIA-related costs in FY 2025 were recovered.

Canada

Access to information under siege

High volumes, delays and growing AI-related requests/complaints

Across Canada: Increased pressure compounded by resource constraints

Access restricted

Ontario: Amendments exclude records held by the Premier, Cabinet Ministers, Parliamentary Assistants and their staff - retroactive to 1988.

Definition of records under scrutiny

Federal level: [Proposed changes to the Access to Information Act](#) to replace the definition of “record” with “official record”. Only records with ongoing business value stored in an official repository would be covered.

Opportunity to align access to information and privacy rights

- **Two Acts, one opportunity:** Align the *Privacy Act* and *Access to Information Act* ([2026 Review of the Privacy Act](#))
- **Support a unified access framework:** Greater alignment could reduce duplication and delays
- **Modernize service delivery:** Bring together processes, expertise and resources
- **Key condition:** Ensure access and privacy rights are not diminished and implementation is properly resourced

Resolution: Canada's Information Regulators called on their respective governments to promote a more robust information ecosystem

- Codify a **duty to document** and strengthen proactive disclosure
- Ensure institutions have **adequate resources** for access
- Support **media and civil society** in promoting the right to know
- Strengthen **digital and media literacy**

Collaboration and community



(EXT) FPT | Information and Privacy Commissioners and Ombuds collaboration site

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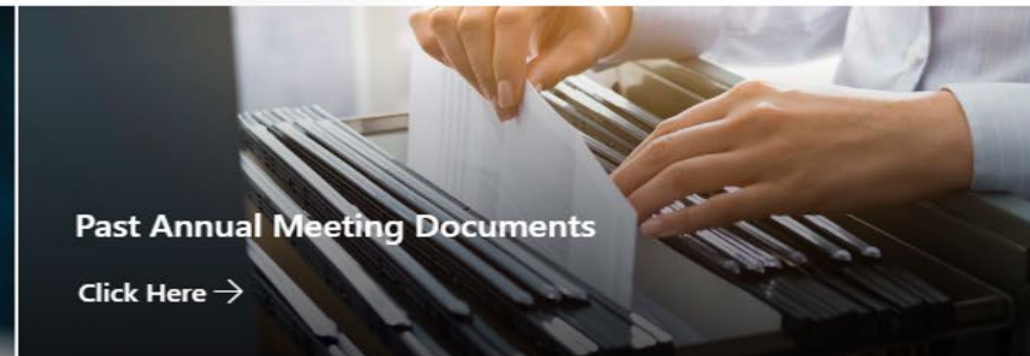
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