

The National Security Archive

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March 8, 2007

Via Facsimile

Jill M. Crumacker
Executive Director and Chief FOIA Officer
Federal Labor Relations Authority
1400 K Street, NW
Washington, D. C. 20424-0001

Dear Ms. Crumacker:

We are writing to give you advance notice of our findings about the Federal Labor Relations Authority's FOIA performance. We have just completed the National Security Archive's fifth government-wide audit, "The Knight Open Government Survey."

As part of our ongoing efforts to ensure agency compliance with the FOIA, the Archive recently audited nearly 150 government agency and component Web sites to assess whether they had implemented the 1996 E-FOIA Amendments. The audit included the FOIA Web sites of all 91 agencies subject to FOIA and 58 agency components that received more than 500 FOIA requests in fiscal year 2005. The Web site reviews were completed at the end of February 2007.

Our reviewers followed a standardized methodology to assess each site. They examined whether the sites included required records in their electronic reading rooms and whether the sites provided mandatory guidance materials and other essential information for FOIA requesters. Our report, including our specific findings for each agency, will be released March 11, 2007, and will be available on our Web site at www.nsarchive.org.

Our audit identified the Federal Labor Relations Authority as one of the worst agencies with regard to E-FOIA compliance. We found several areas where your FOIA Web site fails to fulfill both the letter and the spirit of the 1996 E-FOIA Amendments. Specifically:

- We found it very difficult to locate FOIA information on your Web site. The site includes a link to FOIA under a drop-down menu titled "Introduction to FLRA." Yet, there is also a FOIA link under the drop-down menu entitled "Office of the General Counsel." Further searching leads to another FOIA page for the Solicitor. It is difficult for the requester to discern which is the primary FOIA site, or where to file a particular request. Virtually all other federal agencies have a link on their homepage labeled "FOIA."
- None of the three FOIA Web pages includes all of the information mandated by E-FOIA. Indeed, what appears to be the primary FOIA site includes the smallest amount of information. It fails to provide basic information such as an e-mail address for FOIA requests or an online version of FLRA's FOIA regulations.

An Independent non-governmental research institute and library located at the George Washington University, the Archive collects and publishes declassified documents obtained through the Freedom of Information Act. Publication royalties and tax deductible contributions through The National Security Archive Fund, Inc. underwrite the Archive's Budget.

- The only files available on FLRA's site appear to be recent decisions. E-FOIA also mandates agencies post their annual FOIA reports, frequently requested records, and staff manuals that affect the public.

We hope that you will take this opportunity to review your agency's FOIA Web site and make improvements that will bring your agency in line with Congress's vision when it passed the E-FOIA amendments ten years ago. Please do not hesitate to contact us to discuss your FOIA Web site or any questions you may have regarding our audit.

Sincerely,

Thomas S. Blanton
Executive Director

Meredith Fuchs
General Counsel