

News

Survey finds most agencies ignore FOIA update orders

December 4, 2012 | 4:46 pm | Modified: December 4, 2012 at 4:50 pm

2 Comments

**Examiner
Watchdog
Staff**
The Washington
Examiner
The Washington
Examiner

Popular in News

- 1 DHS grants 'like winning the lottery' for state, local officials
- 2 Cuomo: Maid of Mist continues at Niagara Falls
- 3 Former VA personnel chief faulted by IG
- 4 Survey finds most agencies ignore FOIA update orders
- 5 Thursday, December 6, 2012

More than two-thirds of nearly 100 federal departments and agencies surveyed by a non-profit advocacy group have not updated their Freedom of Information Act (FOIA) regulations and processes to comply with either a 2009 presidential promise or a 2007 law.

Sixty-two of 99 federal organizations have yet to comply a March 19, 2009, Justice Department memo issued following President Obama's promise shortly after being sworn into office to conduct the open and transparent administration, according to the National Security Archive (NSA) that conducted the annual government-wide study.

The 2009 memo instructed federal officials "to make discretionary FOIA releases of documents that might be technically exempt from release (especially with respect to the "deliberative" b(5) exemption), to proactively post records of interest to the public, and to remove "unnecessary bureaucratic hurdles," NSA said.

Fifty-six federal bodies have yet to comply "with the OPEN Government Act of 2007, which mandated that agencies reform their fee structures, institute request tracking numbers, publish specific data on their FOIA output, and cooperate with the new FOIA mediators at the Office of Government Information Services," NSA said.

The latest results represent a continuing trend, according to NSA, which noted that its three previous surveys "found that despite President Obama's day-one clarion call to improve FOIA, results at the agency level have been extremely mixed - at best. For example, after Obama's first year in office, only 13 agencies could point to concrete changes to their FOIA practices; two years into the Obama presidency, and after a sharply-worded White House memo, only 49 agencies had taken concrete steps to improve their FOIA practices.

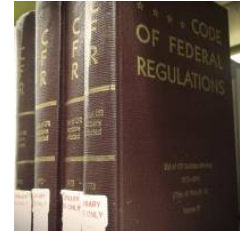
Agencies are not complying with FOIA mandates mainly because, Congress and the White House have failed "to find a way to compel recalcitrant agencies to comply with FOIA," according to NSA.

"Outdated agency regulations really mean there's an opportunity here for a second-term Obama to standardize best practices and bring all the agencies up to his day-one openness pledge," said Tom Blanton, NSA's long-time director.

The oldest FOIA regulation currently on the books in a federal agency is at the Federal Trade Commission, which has not updated its regulations since 1975, according to NSA.

"These forgotten regulations and FOIA backslides demonstrate that President Obama needs to install a Transparency Bulldog in the White House whose sole responsibility is to track, cajole, and force federal agencies into complying with the law of the Freedom of Information Act and ensure that the President's commitments to openness are not ignored by the agencies he leads," said NSA's FOIA Coordinator, Nate Jones.

[Go here](#) to read the full NSA report.



Most federal agencies are ignoring a presidential directive and multiple laws requiring them to update their Freedom of Information Act regulations, according to a new survey by the National Security Archive (Photo courtesy of NSA).

From WashingtonExaminer.com



[Are food stamps a perk for 'paid government volunteers'?](#)

From Around the Web

[Boomers Staying In Debt To Retire In Comfort](#) (Investopedia)

[Vietnam's Cu-Chi Tunnels \(Slideshow\)](#) (Away.com)



Redskins step up to challenge in 17-16 win over Giants

[Call Obama's Bluff](#) (Daily Witness)

[Obama's Creepy Cult of Personality](#) (Investors.com)



Regulations protect entrenched businesses — And the New York Times is ON IT

[Who Is Holly Petraeus? The Scorned General's Wife Isn't All She Seems](#) (CafeMom)



DHS grants 'like winning the lottery' for state, local officials



Home brewing law next challenge

recommended by Outbrain [?]