

Sunshine in Government Initiative

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MEDIA RELEASE

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FOIA Still Means Access is Delayed, SGI Analysis Shows

Federal agencies continue to give those seeking information through the Freedom of Information Act, or FOIA, a frustrating and oftentimes unsatisfying experience, an analysis of federal agency reports shows. With fewer staff on FOIA, costs are rising and agency backlogs (33 percent of requests processed) remained unchanged in 2008.

"These numbers paint a baseline for measuring the impact of President Obama's Day One policies on transparency," said Rick Blum, coordinator of SGI. "If agencies improve their operations year after year, the Day One policy on disclosure will have made a substantial impact," Blum said, referring to the president's policy directing federal agencies to err on the side of disclosure when in doubt.

The reports show backlogs persist despite fewer FOIA requests, agencies continue to miss the statutory response deadline in a majority of cases, and agencies said they rejected the highest percentage of requests since performance reporting began, according a quantitative review by the Sunshine in Government Initiative of federal agency FOIA reports.

Anybody can request information from the federal government under the Freedom of Information Act. Agencies must process those requests and report annually to the Justice Department on their performance. To examine FOIA trends over time, the Sunshine in Government Initiative compiled data from the 25 departments and agencies reporting in each of the past 11 years. Among other things those reports show that:

- **Falling behind.** While the top 25 agencies processed 398,607 requests in 2008, about one-third (130,539) of that number remain backlogged, a rate unchanged from the year before
- **More denied.** Agencies completely denied the highest percentage (44 percent) of requests since performance reporting began
- **Fewer responding.** Departments and agencies cut FOIA personnel
- **Each response costs more.** The average cost of processing requests jumped from \$294 in 1998 to \$611 in 2008.

About the Sunshine in Government Initiative

Members of the Sunshine in Government Initiative (SGI) include: **American Society of Newspaper Editors, Associated Press, Association of Alternative Newsweeklies, National Association of Broadcasters, National Newspaper Association, Newspaper Association of America, Radio-Television News Directors Association, Reporters Committee for Freedom of the Press, and Society of Professional Journalists.**

The complete report and charts are online at sunshineingovernment.org.