

## **The Departments and Agencies Surveyed**

The Sunshine in Government Initiative surveyed the 2008 Freedom of Information Act performance reports of 29 federal departments and agencies. The findings were then matched against prior years for 25 of those agencies.

The four whose results are reported here but not included in the comparison reports are the Department of Health and Human Services, the Department of Veteran Affairs, the Social Security Administration, and the Office of Personnel Management. Here's why.

The fiscal 2008 reports follow new, more precise guidelines established in the Open Government Act. As a result, agencies no longer include Privacy Act requests, which are quickly processed and routinely granted, in their reporting. For most agencies, the Privacy Act requests were a small part of their total workload. However, for the four, the Privacy Act filings represented between 59 and 99.98 per cent of the requests reported. This created a highly distorted picture of performance on FOIA requests. For example, Health and Human Services reported receiving 279,721 new requests in 2007 but only 58,299 in 2008. And its rate of backlogged requests at the yearend rose from 10% to 29% while its grants fell from 96% to 71%.

Here are the 25 departments and agencies included in the year-to-year performance comparisons:

- Department of Agriculture**
- Department of Commerce**
- Department of Defense**
- Department of Education**
- Department of Energy**
- Department of Homeland Security**
- Department of Housing and Urban Development**
- Department of the Interior**
- Department of Justice**
- Department of Labor**
- Department of State**
- Department of Transportation**
- Department of the Treasury**
- Central Intelligence Agency**
- Consumer Product Safety Commission**
- Environmental Protection Agency**
- Equal Employment Opportunity Commission**
- General Services Administration**
- National Aeronautics and Space Administration**
- National Archives and Records Administration**
- National Labor Relations Board**
- Nuclear Regulatory Commission**
- National Science Foundation**
- Securities and Exchange Commission**
- Small Business Administration**