

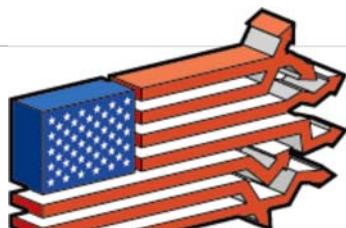
# Testing Obama's Promise of Government Transparency

INTERACTIVE GRAPHIC BY DAVID INGOLD, DAVID EVANS AND DANNY DOUGHERTY. REPORTING BY DANIELLE IVORY AND JIM SNYDER. | SEP. 27, 2012 9:00 PM |

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On his first full day in the White House, Barack Obama promised to "usher in a new era of open government" and ordered officials to be more transparent with the public they serve. An investigation to test that pledge shows that many of the president's own appointees haven't met those goals. In June, reporters at Bloomberg News filed requests under the Freedom of Information Act for the out-of-town travel records for fiscal year 2011 for Cabinet secretaries and top officials at 57 major federal agencies subject to the law. Only about half of those contacted provided the records and costs.

To read more, click [here](http://www.bloomberg.com/news/2012-09-28/obama-cabinet-flunks-disclosure-test-with-19-in-20-ignoring-law.html) (<http://www.bloomberg.com/news/2012-09-28/obama-cabinet-flunks-disclosure-test-with-19-in-20-ignoring-law.html>).



## Untangling FOIA: An Analysis of Obama's Open-Government Pledge

### What is the Freedom of Information Act?

The Freedom of Information Act, signed into law by President Lyndon B. Johnson on July 4, 1966, is designed to reduce the amount of secrecy surrounding government decisions. Individuals and organizations have the right to file requests with 100 federal agencies subject to the law, which requires them to answer the query within 20 working days or offer a timetable for the information's release.

### Understanding the Rules

### How the FOIA Process Works:

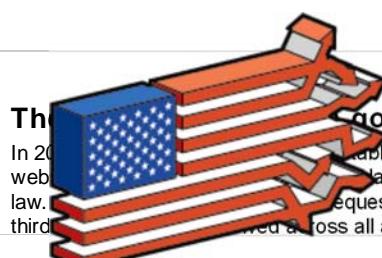
1. An individual files a FOIA request with one of the federal agencies that are covered by the law.
2. The agency acknowledges the request with a FOIA tracking number for future reference.
3. The agency has 20 working days from the receipt of a FOIA request to fulfill it or offer an explanation for a delay. Under some circumstances, the agency has the right to take up to an additional 10 days to respond.
4. The agency has the obligation under federal law to offer a time frame to fulfill the request.
5. If the agency denies a request in part or in full, it's required to explain why records were redacted or withheld. The individual has the right to lodge an administrative appeal with the agency. This appeal is a prerequisite to filing any lawsuit.
6. If the administrative appeal is rejected, the individual can sue the government in federal district court for the sought-after information. The federal government can appeal a ruling against it. FOIA cases can take years to resolve.

David Evans, Dave Merrill/Bloomberg Government  
Sources: Bloomberg News, LBJ Presidential Library

### Obama's Openness Pledge

On Jan. 21, 2009, Barack Obama signed a memorandum promising to "usher in a new era of open government." Two months later, during the government's "Sunshine Week," Attorney General Eric Holder issued new guidelines to limit request denials and called on agencies to work "proactively and promptly" in response to demands for information. "Open government requires not just a presumption of disclosure but also an effective system for responding to FOIA requests," Holder wrote.

Photographer: Mannie Garcia/Bloomberg News  
U.S. President Barack Obama signs executive orders in the Eisenhower Executive Office Building on Jan. 21, 2009.



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### A Mountain of Requests – and Exemptions

During the first year of the Obama administration, Cabinet agencies employed exemptions 466,402 times to deny access to information, a 50 percent jump from the last year of the George W. Bush presidency. The majority of the exemptions came from the Department of Homeland Security.

### Government Transparency: Rhetoric Versus Reality

In June 2012, Bloomberg News reporters filed requests under FOIA for the out-of-town travel records for fiscal year 2011 for Cabinet secretaries and top officials at 57 major federal agencies subject to the law. Eight of those departments provided information on executive travel and its cost to the U.S. taxpayer within the 20-day period mandated by law.

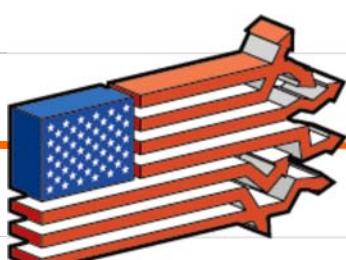
**Navistar requested**  
out of Washington,  
D.C., by the head of  
the agency  
• Documents  
showing dates and  
modes of transport  
• A breakdown of  
travel expenses,  
including all gifts or  
reimbursements  
covered by outside  
sources

## The Government's Performance

Eight of the 57 agencies that received FOIA requests for the FY 2011 travel records of their top administrators, listed below, complied within the 20-day deadline. Overall, 30 of those queried fulfilled the request by Sept. 14. Bloomberg started the 20-day clock two working days after the request.



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