

Sunshine! The new www.FOIA.gov

BY GRETCHEN FRIZZELL

The Department of Justice (DOJ) launched the new FOIA.gov website in March 2011 as the “flagship initiative” of its Open Government Plan and in commemoration of Sunshine Week, “a national initiative to promote a dialogue about the importance of open government and freedom of information.” The new FOIA.gov, which aims to make information about the Freedom of Information Act (FOIA) accessible, interactive, and easy to understand, is a website that every environmental, energy, and natural resources law practitioner should explore and use.

DOJ’s Open Government Plan was developed as part of the administration-wide Open Government Initiative begun during President Obama’s first year in office. This initiative includes a directive requiring federal agencies to take immediate steps toward achieving greater transparency, participation, and collaboration. In formulating its plan, DOJ sought the input of department employees, stakeholders, and members of the public, inviting ideas via a new e-mail address and a temporary website. The plan’s stated goals are to improve the availability and quality of information, work better with others inside and outside the government, and be more efficient and innovative. According to DOJ, FOIA.gov was inspired by the public feedback it received in response to that appeal for input.

The new FOIA.gov compiles, centralizes, and streamlines mountains of FOIA information on a single user-friendly website, complete with video lessons presented by Melanie Pustay, director of DOJ’s Office of Information Policy. The site advises the public as to how it may utilize FOIA and describes how agencies are complying with it. It offers a plain-language explanation of the act and how to submit a request. It also describes generally how requests are processed, as well as where to direct a request. FOIA.gov shares basic data on the number of FOIA requests received by the federal government, the disposition of those requests, and the extent of the government’s backlog of requests, as well as much more detailed data and reports.

FOIA.gov now serves as a central repository for information contained in federal agencies’ FOIA reports, which must be submitted annually to the Attorney General pursuant to 5 U.S.C. § 552(e). In addition, the site allows practitioners and members of the public to search, sort, and compare data from those reports. Each agency’s FOIA data is available at a glance, and there is even a feature that makes it possible to generate one’s own report of detailed agency information, e.g., a report comparing all agencies’ FOIA request processing times. A handy glossary defines obscure terms like “Non-Commercial Scientific Institution” and “FOIA”

(oddly, the glossary seems to be the site’s only avenue to the actual text of the act, which one can reach by clicking a link within the definition of “FOIA”). Finally, a Frequently Asked Questions page offers answers accompanied by more video lessons from Ms. Pustay.

Attorneys seeking to access the vast array of federal information should consult the FOIA Contacts page. This single source provides the FOIA contact information for every federal agency, i.e., the contact information (typically name, title, mailing address, phone number, fax number, e-mail address, and website) of the person to whom a request for information from a given federal agency—or a particular office within an agency—should be sent. Every agency’s FOIA

contact information is available individually as well as in the form of a spreadsheet compiling all the agencies’ information. If the name of the FOIA contact for a given office is not identified directly on FOIA.gov, it may be available on the specific agency website listed on FOIA.gov. In this manner, DOJ has centralized the vital contact information on FOIA.gov. Typically, the website listed on the FOIA Contacts page for each agency or office—including, for example, each of the Environmental Protection Agency’s regional offices—provides access to that specific agency’s or office’s Electronic Reading Room. Visiting the appropriate

Electronic Reading Room before submitting a FOIA request may forestall the need to make a request at all, since it houses documents specifically identified for inclusion under FOIA along with frequently requested documents. For attorneys and members of the public seeking federal information, the aggregation of all federal agencies’ FOIA contact information and access to Electronic Reading Rooms in one place should yield noticeable savings in both time and money.

By consolidating diverse information about FOIA in a single website, DOJ has indeed cast sunshine on a previously dark area of federal law. In addition, DOJ continues to seek input on FOIA.gov. To keep the site up to date, federal agency employees are asked to send contact changes and other updates to agencyfeedback@foia.gov. Those working outside of the federal government are also encouraged to share feedback on the website. If you think of a way to improve the new FOIA.gov, send an e-mail to feedback@foia.gov.

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