

THE WHITE HOUSE

Washington

June 11, 2012

MEMORANDUM FOR AGENCY GENERAL COUNSELS AND CHIEF FOIA OFFICERS
OF EXECUTIVE DEPARTMENTS AND AGENCIES

FROM: KATHRYN RUEMMLER, COUNSEL TO THE PRESIDENT
TONY WEST, ACTING ASSOCIATE ATTORNEY GENERAL

SUBJECT: FREEDOM OF INFORMATION ACT

As you know, the President has called upon agencies to provide government transparency through their administration of the Freedom of Information Act (FOIA). His Memorandum on FOIA directed agencies to disclose requested information where possible, to provide the public with information proactively rather than waiting for specific requests, and to use modern technology to inform citizens. The Attorney General echoed the President's instructions, and also called on agencies to employ effective systems for responding to FOIA requests and to assume fully responsibility for their administration of the FOIA. The former Chief of Staff and Counsel to the President subsequently wrote agency and department heads requesting that they ensure full implementation of the President's FOIA Memorandum by updating agency FOIA guidance and training materials, and assessing whether adequate resources were being devoted to respond to FOIA requests promptly.

Over the past three years, your agencies' administration of the Freedom of Information Act has done much to make our government more open and accountable to the American people, with measurable results. You have disclosed more, withheld less, processed requests faster, reduced backlogs, improved your FOIA infrastructure, and not least of all provided the public with voluminous information proactively.

To further ensure that FOIA is administered in a way consistent with the President's Memorandum and that agencies provide timely response to FOIA requests, we request that you review your oldest pending FOIA requests, and take affirmative steps to resolve them. While you may be able to provide the requested information for some of your most longstanding requests, others may require denials or partial denials of requested information. Still others might require requesters to clarify or refine their requests. Obviously, your longstanding FOIA requests should be resolved according to the appropriate criteria, but our request is that you take affirmative steps to resolve longstanding requests. We leave it to you, however, to determine how many longstanding requests warrant your priority.

Thank you for your continued hard work to fulfill the Administration's commitment to greater transparency through the Freedom of Information Act.