

# Obama administration sets record for denying access to government documents

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According to analysis of federal data by the Associated Press, the administration of US President Barack Obama set a record for censoring and withholding documents requested under the Freedom of Information Act (FOIA). The government also took more time than ever to turn over files and was more likely to say that it was unable to locate documents.

The Freedom of Information Act was originally passed in 1966 and allows anyone to request and access documents from the US government for a nominal fee. The law contains several exemptions that give the government significant leeway in denying requests and censoring documents, particularly if it claims secrecy is necessary to protect “national security,” business secrets or an individual’s privacy.

Approximately 39 percent of the requests the government responded to last year were denied or censored. A further one third of these requests were rejected because the government said it couldn’t locate the documents, a person refused to pay for documents, or the requests was deemed improper or unreasonable.

The government spent \$434 million on processing requests last year and a further \$28 million on lawyers’ fees in its effort to block access to documents.

While 714,231 new FOIA requests were made by journalists, citizens, businesses and others last year the government reported that it responded to 647,142 requests, including backlogged requests, down four percent from 2013.

The number of backlogged requests between 2013 and 2014 grew by 55 percent to more than 200,000. Meanwhile the number of employees throughout the government employed full time to process FOIA requests and locate documents was cut by nine percent.

Responding to questions about the Obama administration’s withholding of government records, White House spokesman Josh Earnest told reporters

“When it comes to our record on transparency, we have a lot to be proud of. And frankly, it sets a standard that future administrations will have to live up to.” In 2013, Obama infamously declared that his presidency was, “the most transparent administration in history.”

According to the White House’s internal assessment, the federal government had released all or part of documents in 91 percent of processed requests last year. This measurement—which excludes requests where records could not be located, a person refused to pay for records, or a request was determined to be improper—was still a record low for the Obama administration.

A report put out this week by the Center for Effective Government found that out of the 15 agencies that received 90 percent of FOIA requests in 2013 ten were ineffective in processing requests for information.

The State Department was found to be the worst performing executive branch department, processing only 17 percent of the requests in received in 2013. Despite being legally mandated to do so, the State Department does not have a rule to inform individuals that their FOIA request have been delayed often leaving journalists and others in the dark about accessing information.

In a related development, the Obama administration moved on Tuesday to exempt the White House’s Office of Administration from Freedom of Information Act requirements. The office is responsible for human resources, maintaining computers and servers as well as record keeping for the White House.

The Obama administration stated that they were simply bringing their regulations in line with a 2009 Washington DC federal appeals court ruling that found that the Office of Administration was not subject to FOIA requests. Citizens for Responsibility and Ethics in Washington, a liberal watchdog organization, had unsuccessfully sued for the release of 22 million deleted emails from the Office of Administration during George W. Bush’s

presidency.

The move by the Obama administration to exempt the Office of Administration effectively blocks FOIA requests for internal White House emails. Under the Presidential Records Act White House emails are not accessible to the public until five years after the end of an administration.

Other offices within the White House that are already exempt from the same FOIA transparency standards include the Offices of the President and Vice President, the Council of Economic Advisers, the National Security Council and the Presidents Foreign Intelligence Board.

The Justice Department under Obama has aggressively pursued individuals who have leaked information about the secret and illegal operations of the American government. Private Chelsea Manning is serving a 35-year sentence in a military brig for leaking information about war crimes committed by the US military in Iraq and Afghanistan to Julian Assange's WikiLeaks in 2010.

Former CIA agent John Kiriakou was convicted of violating the Espionage Act after he revealed details of the CIA's torture operation. Edward Snowden, who leaked information about the US government's electronic surveillance operations in 2013, has been charged under the Espionage Act and is currently living in exile in Russia.

Journalist James Risen, who was subpoenaed by the Justice Department in a failed attempt to force him to reveal a confidential source, has repeatedly denounced the Obama White House as "the greatest enemy of press freedom in a generation."

The move by the Obama administration to block public access to White House emails and other government documents is of a piece with its persecution of whistleblowers in its attempt to maintain secrecy in regards to its ongoing wars, torture, and the illegal surveillance of the entire world's electronic communications.



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