

Faster FOIA Act Passes Senate

May 10, 2010

Last Thursday, the Senate unanimously pass the [Faster FOIA Act](#) [1], a bill that would establish a commission to study the delays endemic to the FOIA system. This would be particularly helpful to agencies, given that President Obama's Open Government Directive requires agencies to put forth plans to reduce agency FOIA request backlogs by 10% each year, but the causes of delay in the FOIA process are not well understood.

The Freedom of Information Act, or FOIA, is the oldest open government and access law on the books. While it has been updated several times to address both the age of the law and to improve on public access of information (especially through E-FOIA), backlogs are endemic at agencies. These backlogs result from under-funded FOIA offices, overworked FOIA officers, or simple neglect of FOIA duties. This bill would provide for a thorough study of the problem, and ensure that recommendations are made.

The commission created by the Faster FOIA Act would also be charged with examining the current regime charging fees and granting waiver fees for FOIA requester. In our experience, an agency's refusal to recognize a requester's entitlement to a fee waiver all too often causes further processing delays and imposes yet another unreasonable bar to access under the FOIA.

A large coalition of [good government groups](#) [2] - including CDT - are in support of this bill, and hope to see it's counterpart in the House soon.

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- [Open Government](#)
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Links:

[1] <http://www.govtrack.us/congress/bill.xpd?bill=s111-3111>

[2] <http://www.pogo.org/pogo-files/letters/government-secrecy/gs-foia-20100317.html>