



## Obama's transparency promises still mostly just words

By: Mark Tapasett - January 24, 2013

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In the years since Obama made his promise, his apologists have often claimed that he's delivered on that promise, as in the May 2011 assertion by White House press secretary Jay Carney that "this president has demonstrated a commitment to transparency and openness that is greater than any administration has shown in the past."

To be sure, there have been important steps forward under Obama in making the federal government more transparent and thus accountable. His 2009 memorandum to the heads of executive branch departments and agencies included this milestone: "All agencies should adopt a presumption in favor of disclosure, in order to renew their commitment to the principles embodied in the [Freedom of Information Act], and to usher in a new era of open government. The presumption of disclosure should be applied to all decisions involving FOIA."

Never mind that Obama's memo essentially restated what federal law has required since 1966. It's always useful to have the chief executive remind those under him of that "presumption of disclosure."

Still, the undisputed facts show that the Obama administration has fallen far short of his promise.

When the National Security Archive, for example, surveyed federal agencies this past December, it found that 62 of 99 have yet to update their FOIA regulations, as required by a three-year-old directive from Attorney General Eric Holder.

Even worse, the NSA survey found that 56 agencies have yet to update their FOIA processes, including fee structures and reporting of their actions, as required by the Open Government Act of 2007, which was signed by President George W. Bush.

Perhaps most revealing was the finding by the Transactional Records Access Clearinghouse at Syracuse University. The number of FOIA lawsuits -- filed when agencies fail to comply with the law -- increased by 28 percent during the last two years of Obama's first term compared with the last two years of Bush's second.

There are signs that government is becoming more transparent -- they just don't have anything to do with Obama. House Speaker John Boehner and the Government Printing Office, for example, announced recently that anybody with an Internet connection and a computer will be able to download legislative information -- including voting data and bill texts -- in XML format.

What that means is it is now far easier to know to a much greater level of detail what Congress is doing. It is also easier for interested folks outside of Congress to create unique new ways of slicing and dicing that in detail.

And some of those interested folks are wasting no time in taking advantage of the new capabilities. The Cato Institute's Jim Harper, for example, this week announced "Cato XML," which will cover all bills proposed in the 113th Congress and enable quicker and more powerful analyses to flag things buried in the tangled webs of legislative language such as new spending and authorities awarded to obscure federal agencies.

Harper is also convening a conference at Cato on March 14 and 15, at which Pete Forsyth of Wiki Strategies will be on hand to guide discussion about how Wikipedians can take advantage of the newly liberated legislative information.

"Pete was a key designer of the Wikimedia Foundation's U.S. Public Policy Initiative, a pilot program that guided professors and students in making substantive contributions to Wikipedia, and that led to the establishment of the Foundation's Global Education Program," according to Harper.

As Larry the Cable Guy might say, I don't care who you are, that's exciting.