

The National Security Archive

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March 8, 2007

Via Facsimile

Deborah Snowden
Transportation Security Administration
West Building, 4th Floor
Room 432-N, TSA-20
601 South 12th Street
Arlington, VA 22202-4220

Dear Ms. Snowden:

We are writing to give you advance notice of our findings about the Transportation Security Administration's FOIA performance. We have just completed the National Security Archive's fifth government-wide audit, "The Knight Open Government Survey."

As part of our ongoing efforts to ensure agency compliance with the FOIA, the Archive recently audited nearly 150 government agency and component Web sites to assess whether they had implemented the 1996 E-FOIA Amendments. The audit included the FOIA Web sites of all 91 agencies subject to FOIA and 58 agency components that received more than 500 FOIA requests in fiscal year 2005. The Web site reviews were completed at the end of February 2007.

Our reviewers followed a standardized methodology to assess each site. They examined whether the sites included required records in their electronic reading rooms and whether the sites provided mandatory guidance materials and other essential information for FOIA requesters. Our report, including our specific findings for each agency, will be released March 11, 2007, and will be available on our Web site at www.nsarchive.org.

Our audit identified TSA as one of the worst agencies with regard to E-FOIA compliance. We found several areas where your FOIA Web site fails to fulfill both the letter and the spirit of the 1996 E-FOIA Amendments. Specifically:

- The TSA FOIA Web site provides very little guidance for requesters on how to file and follow up on a FOIA request with TSA. There is no mention of fees, response times, appeal rights, or how to file for a fee waiver or expedited processing.
- The site is poorly organized with what little information that is provided to requesters scattered over multiple pages.
- The TSA FOIA electronic reading room fails to provide most of the records required under FOIA.

We hope that you will take this opportunity to review your agency's FOIA Web site and make improvements that will bring your agency in line with Congress's vision when it passed the E-FOIA

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amendments ten years ago. Please do not hesitate to contact us to discuss your FOIA Web site or any questions you may have regarding our audit.

Sincerely,

Thomas S. Blanton
Executive Director

Meredith Fuchs
General Counsel

cc: Mr. Hugo Teufel III, Chief FOIA Officer, Department of Homeland Security