



# INFORMATION MANAGEMENT

## Update on Implementation of the 1996 Electronic Freedom of Information Act Amendments

Highlights of [GAO-02-493](#), a report to the Chairman, Senate Committee on the Judiciary, and the Chairman, Subcommittee on Government Efficiency, Financial Management, and Intergovernmental Relations, House Committee on Government Reform.

### Why GAO Did This Study

The 1966 Freedom of Information Act (FOIA) established the public’s right of access to government information, on the basis of openness and accountability. The 1996 Electronic Freedom of Information Act (e-FOIA) Amendments extended these principles to include electronic access to information. Under the act, the Department of Justice provides implementing guidance to agencies. In addition, agencies report annually to Justice on their FOIA operations.

GAO was asked to determine, among other things, (1) agencies’ progress in improving their timeliness in responding to requests for information and (2) the actions Justice has taken on previous GAO recommendations (GAO-01-378, Mar. 16, 2001) to improve data quality in annual reports and on-line availability of government information.

### What GAO Found

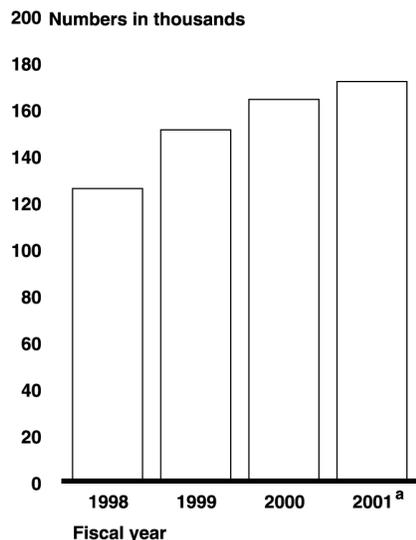
Changes in agency reporting conventions—made to improve accuracy and consistency—make it difficult to identify clear trends in timeliness for fiscal years 1999 through 2001. However, while the number of requests received appears to be leveling off, backlogs of pending requests governmentwide are substantial and growing, indicating that agencies are falling behind in processing requests.

In response to our previous recommendation on data quality—including consistency and accuracy of reporting—Justice issued supplemental guidance, augmented its training programs, and continued reviewing agency annual reports. Data quality improved, but numerous anomalies remained in agencies’ fiscal year 2001 reports. Justice’s efforts to implement this recommendation are continuing.

Justice also issued guidance encouraging better on-line availability of information, as GAO recommended. Although agencies have progressed in making information available electronically, not all materials required by e-FOIA were available on line as of May/June 2002. Further, certain information was difficult to find and was not always continuously available on Web sites. Justice officials stated that they are continuing to reinforce the need for full e-FOIA compliance and periodic agency review of Web site content, and to facilitate the sharing of best practices.

Justice generally agreed with the report’s findings and conclusions.

Total Number of FOIA Requests Pending for 25 Agencies



<sup>a</sup>Department of Education data for fiscal year 2001 were not available as of July 2002. Source: FOIA annual reports for fiscal years 1998–2001 (self-reported data).