

The National Security Archive

The George Washington University
Gelman Library, Suite 701
2130 H Street, N.W.
Washington, D.C. 20037

Phone: 202/994-7000
Fax: 202/994-7005
nsarchiv@gwu.edu
www.nsarchive.org

March 8, 2007

Via Facsimile

John Espinal
Air Force FOIA Program Manger
Headquarters Air Force/ICIO (FOIA)
1000 Air Force Pentagon
Washington, DC 20330-1000

Dear Mr. Espinal:

We are writing to give you advance notice of our findings about the Department of the Air Force'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 the Air Force 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 Air Force maintains two distinct FOIA sites (www.af.mil/foia.asp and www.foia.af.mil/). It is not clear to us which site is intended to be the official FOIA Web Site. One site is linked from the Air Force's home page and appears to follow Air Force Web site design standards, while the other Web site, linked to from other agencies, was discovered through a Web search and appears to be more current and contain more FOIA guidance.
- The guidance to FOIA requesters on the first Web site—which users reach directly from the Air Force home page—is very minimal. This page lacks certain key information that Congress specifically noted should be included in each agency's FOIA handbook, including an explanation of the exemptions to FOIA, and a description of the types of records and information systems the agency maintains.

An Independent non-governmental research institute and library located at the George Washington University, the Archive collects and publishes declassified documents obtained through the Freedom of Information Act. Publication royalties and tax deductible contributions through The National Security Archive Fund, Inc. underwrite the Archive's Budget.

- Neither Web site has an electronic reading room, and neither includes the documents E-FOIA requires agencies to make available on their Web sites. While the second site has a link labeled “Electronic Reading Rooms,” it is merely a page of links to the main Web sites of the various Air Force bases and components and fails to serve the function of an electronic reading room. In fact, only some of these components actually maintain a FOIA page and a reading room, and on others, users must search the site extensively to find it. Moreover, many of the links on this portion of the site are broken or outdated.

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 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. Michael Donley, Chief FOIA Officer, Department of Defense