

TRANSPARENCY UNDER THE OBAMA ADMINISTRATION

Despite criticisms from Republicans and conservative commentators, the Obama Administration has taken more significant measures to improve government transparency—including to enhance FOIA—than any other previous Administration:

- On his first day in office, President Obama [issued a memorandum](#) on FOIA that stated unequivocally: “The Freedom of Information Act should be administered with a clear presumption: In the face of doubt, openness prevails.” This approach contrasted directly with the [Bush Administration’s restrictive interpretation](#) of FOIA’s disclosure requirements.
- On March 19, 2009, then-Attorney General Eric Holder [issued a memorandum](#) to agencies establishing a new “foreseeable harm” standard under FOIA. Under this standard, the Department of Justice defends agency FOIA denials only if they reasonably foresee that disclosure would harm an interest protected by one of FOIA’s exemptions or if disclosure is prohibited by law.
- On December 8, 2009, the Director of the Office of Management and Budget (OMB) issued a [landmark Open Government Directive](#) requiring agencies to develop open government plans that must be updated every two years. The Directive also instructed agencies to tackle their historic backlogs of FOIA requests by setting reduction targets of 10% each year.
- In 2011, the Obama Administration [launched](#) the first U.S. Open Government National Action Plan, which included a commitment to professionalize FOIA administration. On March 9, 2012, the Office of Personnel Management (OPM) implemented that commitment by creating a new position classification for staff who implement FOIA and the Privacy Act. This change was recommended by the American Society of Access Professionals to recognize the importance of FOIA and Privacy Act professionals.
- On May 9, 2013, President Obama signed Executive Order 13642, which made open and machine-readable data the default for government information. The Administration also launched [DATA.gov](#), an open source website that contains data sets shared by federal agencies, as well as data from states and other organizations.
- On December 6, 2013, the Administration [issued a second](#) National Action Plan, which directed the creation of a consolidated FOIA portal, training for FOIA professionals, and the creation of a FOIA Advisory Committee.