



HOT

**SEMO OGIS BUDGET NUMBERS
2009 TO 2021 DO NOT COMPORT WITH
PUBLISHED NARA PERFORMANCE
BUDGETS**

PUBLIC COMMENT

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From: foiacompliance@gmail.com
To: ["FOIA Advisory Committee"](mailto:FOIA Advisory Committee); bobak.Talebian@usdoj.gov; alina.semo@nara.gov; kirsten.mitchell@nara.gov; Vanita.Gupta19@usdoj.gov; Colleen.Murphy@nara.gov
Cc: FOIAcompliance@gmail.com; "Brett Baker"
Subject: HOT! Reimagining OGIS. Budget Numbers do not Comport w. NARA Published Budgets! Tuesday,
Date: April 5, 2022 10:52:51 PM
Attachments: [<https://www.archives.gov/files/ogis/assets/reimagining-ogis-recommendations-03-30-2022.pdf>]
Importance: High

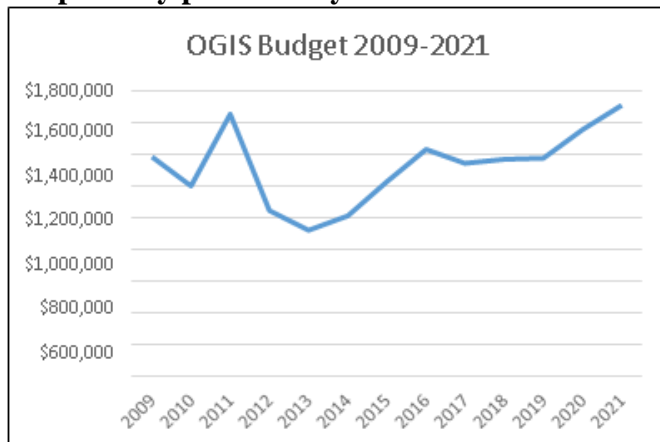
Ms. Wall, Ms. Murphy, Ms. Semo, FOIA Advisory Committee:

Excellent work product by David Cuillier and the Committee, except that I would have recommended that OGIS be moved directly under Congress, and I will continue to advocate to Congress and others. Also, the Committee appears to have been misled regarding NARA’s budget requests for OGIS. Information purportedly provided by Ms. Semo does not comport with public records.

HOT! OGIS budget numbers 2009 to 2021 at page 11 do not comport with published NARA Performance Budgets ([Performance Budget | National Archives](https://www.archives.gov/about/plans-reports/performance-budget) <https://www.archives.gov/about/plans-reports/performance-budget>), which show both the current requested and prior year enacted budgets. I took the numbers for my Public Comments, “NARA Please Fund OGIS Part 1” at page 4 directly from NARA’s published budgets, which are significantly different and show gross, dramatic, real dollar decreases from 2016- 2021, notwithstanding a 21.8% increase from 2016 to present.

Pls look carefully at NARA budget request numbers; they went DOWN dramatically since 2012/2013. Please remove the statement, “To the National Archives and Records Administration’s credit, the OGIS budget has outpaced inflation, from \$1.38 million in 2009 to \$1.71 million in 2021. (Budget numbers provided by Alina Semo, director of the Office of Government Information Services (February 2, 2022). **That is not true. NARA Director did not seek increases consistent with inflation** and OGIS should be moved under Congress. In 2013 with 1.629M 300-400 mediation cases OGIS complained that they did not have enough people. The FOIA Improvement Act of 2016 included mandatory ADR language which skyrocketed OGIS workload.

Purportedly provided by Ms. Semo:



True NARA Budget

\$ in Thousands Requested:

FY 2021	\$1,289
FY 2020	\$1,212
FY 2019	\$1,317
FY 2018	\$1,012
FY 2017	\$1,114
FY 2016	\$1,094
FY 2015	\$913
FY 2014	\$1,074
FY 2013	\$1,629
FY 2012	\$1,529

Apart from the grossly inaccurate budget numbers, the rate of inflation since 2009 is 32.2%. The first recorded budget for OGIS was 2010 at \$1.4M. Numbers still do not add up (US CPI Data).

OGIS also has an inherent conflict of interest and will not address requests for ADR of NARA requests, even those that do not accurately cite the statutory language for OGIS ADR. Ms. Semo has the authority in her Ombuds Report to say whatever she wants. Similarly, when asked pointed questions in the Senate FOIA hearings about what could make FOIA better, Ms. Semo did not once state that her office was underfunded.

OGIS has refused to release budget documents sought under FOIA expedited processing, which are of great interest to the Public, Congress, and this Committee.

To be clear, no entity on the planet can mediate 4,600 cases in a year with three mediators – same number of mediators as 2016 when they received 300 to 400 mediation requests with \$1.6M.

I am including OGIS' Chief Financial Officer, Colleen Murphy (Colleen.Murphy@nara.gov) for immediate clarification by **3 PM EST tomorrow, 6 April 2022**. To the extent that alleged execution exceeds budgetary requests, the FOIA AC paper should show both and not complement the Archivist for something that he did not do when he did opposite. NARA has refused to answer my expedited FOIA requests for past, antecedent budget documents.

Having done finance work for decades years at very high levels, this should only take about ten minutes to resolve.

The FOIA Advisory Committee needs this information before errant citations and statements are approved in its otherwise solid recommendation.

I do not want to diminish an otherwise good recommendation.

If NARA does not provide accurate budget numbers in time for the Committee to re-work the document, I suggest that you withdraw the recommendation until the next meeting and address grossly inadequate budget requests using the numbers above and any additional data provided directly by NARA's CFO.

Pls consider. Thx.

With my deep respect,

Robert Hammond