

**CONSERVATIONISTS DEPLORE STATE, GSA
STONE-WALLING AGAINST TRANSPARENCY**

Queen Anne's Conservation Association (QACA) today marked the conclusion of "Sunshine Week" (March 15-20: see www.sunshineweek.org/) by denouncing the continuing defiance of the President's transparency directives by the Department of State (State) and the General Services Administration (GSA).

"Two months ago we made requests under the Freedom of Information Act to State and GSA in connection with the pending proposal to build a Foreign Affairs Security Training Center (FASTC) next to a Maryland State Park in the Chesapeake Bay Watershed," said Jay Falstad, QACA Director of Communications. "State and GSA have not provided even one single document in response to that request, but instead have asserted their right not to produce any documents on this project until a time well after the conclusion of the environmental assessment of the proposal, which is supposed to involve meaningful public participation. That is an outrageous contradiction of the President's policy."

On his first full day in office, President Obama directed federal agency and department heads "to administer the Freedom of Information Act (FOIA) with a 'presumption in favor of disclosure' and to respond to FOIA requests 'promptly and in a spirit of cooperation'." This directive was repeated in a White House Memorandum from Rahm Emanuel and Bob Bauer released three days ago to mark the 2010 Sunshine Week.

Falstad, commenting that "the President's message certainly doesn't seem to be getting through", provided the following account of the FOIA denials (excerpted from a letter sent last month by QACA to Senator Barbara Mikulski):

"[W]ith respect to FOIA, GSA has simply denied our FOIA requests to them in their entirety. As a result, we will learn nothing about, for example, what GSA told our local government officials and others about FASTC and the operations to be conducted there, about the jobs that would supposedly be generated, or about the likely impacts on Tuckahoe State Park. Our lawyers are amazed at the breadth and audacity of the denial

"As to State's handling of our FOIA request to them, we have been told that there will be a serious, careful effort to locate and provide the requested records – but that it will likely take 8-14 months before any records at all are produced.

When we ask State why a record like a specifically identified report to Congress can't be produced more quickly, we are told that the disclosure process doesn't work that way and that each office within State will not produce any individual document until its (8-14 month) search for all documents has been completed. This is, one might say, a more diplomatic approach than GSA's, but the end result is the same: a complete lack of transparency."

Falstad offered as a "poster child for non-transparency" the government's refusal to furnish a report (specifically identified in the QACA FOIA requests) that was requested by Congress in the FY 2008 appropriations "omnibus bill" on December 26, 2007, was actually transmitted to the Appropriations Committees by State in early May 2008, and was not marked with any restrictions whatsoever. It has been referenced publicly in footnotes in several GSA and State documents circulated during the public meetings on FASTC, but, says Falstad, "we are told the public can't see it – amazing!"

The FASTC project has recently become increasingly controversial, as opponents have raised a series of questions about it under various Administration policies.

For example, at the proposed location on 2000 acres of prime farmland in Maryland, FASTC commits stimulus funds to a non-shovel ready project in a low unemployment area, contrary to the stated purposes of the American Recovery and Reinvestment Act. (On February 2, 2009 Congressional Republican leaders, listing "wasteful provisions" in stimulus bill, had already criticized the \$75 million inserted by Maryland Senator Barbara Mikulski to construct the facility, because the State security officers "can be trained at existing facilities of other agencies".)

Last week the Environmental Protection Agency entered the debate, calling on GSA to undertake a thorough analysis of the environmental analysis, rather than continue with the current hurried effort to minimize the significance of the environmental impacts.

Attachments: (1) [White House FOIA Memo](#); (2) [QACA Letter to Sen. Mikulski](#); (3) FOIA Requests to [State](#) and [GSA](#); (4) [EPA Letter](#)

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