

From: [Alan Morrison](#)
To: [David Pritzker](#)
Cc: [Allison M. Zieve](#)
Subject: ACUS FOIA recommendation
Date: Thursday, May 15, 2014 10:02:11 AM

David:

I took a look at the final recommendation, and I am writing to tell you & others that I strongly disagree with the recommendation that OGIS become involved only after the agency has denied an appeal. That seems to me to be the wrong time to ask for help. Once the agency appeal has upheld the initial denial, why would an agency ever change its mind? At that point, perhaps the AGENCY would want OGIS to come in to persuade the REQUESTER not to sue, but not to get it to change its mind.

My proposal would be to have the agency tell the requester who has been denied access (assuming that the agency even completed a search) that an appeal is available and that the requester may wish to ask OGIS to help out.

Based on a quick reading of the recommendation, I believe that the recommendation (but not the preamble) can be cured by striking "appeal" in recommendation 7, line 179. I willask someone else to make this motion for me.

I also have serious doubts that agency Public Liaisons serve any useful function, but that is a minor matter.