
Texts of OMB's 1985-2000 Circular A-130 un-published, un-codified and un-preserved in the CFR and unavailable in FRDL-UT?!!!

Brady Eames <ibuncle@yahoo.com>

Mar 25, 2015 4:59 PM

Posted in group: FOIA Advisory Committee

Dear agents of the United States, Although the former **Archivist of the United States** and **Chairman of the Administrative Committee of the Federal Register** named Robert M. Warner has expressed in a document to the former Counsel of the **OMB** named **Michael J. Horowitz** that the text of the **OMB's** circulars should be published, codified and preserved in the **Code of Federal Regulations (CFR)**, the **OMB** has **never** done so. Is there a secret agreement between the **OMB** and the **Administrative Committee of the Federal Register (ACFR)** and the **Director of the Office of the Federal Register (DOFR)** (as approved by the **Archivist** and the **Attorney General** of the United States), or perhaps a clandestine **Executive Order** and/or a covert opinion of the DOJ's **Office of Legal Counsel**, that entitles the **OMB** to defy and circumvent *44 USC 1510* and *1 CFR 5.9(b)* and *8.1(a)* as well as the **Administrative Conference of the United States (ACUS)**'s rule *305.76-2* (as published, codified and preserved in the **1977-1993** editions of *1 CFR 305.76-2*) and thereby injure the public by concealing from the **CFR** substantial rules of general applicability and legal effect? With respect to such circulars, the codified phone numbers 202-395-7332 and 202-395-9068 (*5 CFR 1310.3*) for contacting the **OMB** to obtain them are **non-working** numbers and making them **accessible exclusively at a website** is **not** legalized anywhere under *44 USC-Chapter 35* or *36* or anywhere under *Chapter I of Title 1 of the CFR* as being a lawful **alternate** or **exclusive** manner of publishing, codifying and preserving them. Of particular concern and attention is the **OMB's** blatant and contemptuous refusal to publish, codify and preserve anywhere in the **CFR** the **substantial policies, principles, standards and guidelines** with respect to Federal and general information resources management and electronic Executive government stated over the course of more than **FIFTEEN (15) YEARS** in its Government publication designated "**Circular A-130**" and titled "**Management of Federal Information Resources**" (**A-130**) (see **1985** version published as a "**notice**" in *50 FR 52730-52751*, **revised 1993** version published as a "**notice**" in *58 FR 36068-36086*, **revised 1994** version published as a "**notice**" in *59 FR 37906-37928*, **revised 1996** version published as a "**notice**" in *61 FR 6428-6453* and **revised 2000** version published as a "**notice**" in *65 FR 77677-77687*). Take note that during the Bush and Obama administrations, it appears that **A-130** was and has **never** been revised or revoked. In non-accordance with *44 USC 1902* and *1911*, the **OMB** has **never** made any of the above versions of the **A-130** available for my free use in the **Federal Regional Depository Library in Logan, UT**. Considering **A-130** has resulted in the electronic transformation of the entire Executive Branch of the United States Government, it's alarming to discover how the **OMB**, most likely under secret directions from the **ACFR** and the **DOFR**, which were most likely approved by certain former **Attorney Generals** and **Archivists**, has undermined and broken the **Federal Register** and **Freedom of Information Act** statutory and administrative laws which supposedly mandate the manners in which I shall find, inspect and copy those documents which would prove if, how and when the Executive Departments and agencies have actually executed such laws!!! Sincerely, Brady Eames

OMB's information dissemination policies and procedures un-published, un-codified and un-preserved in FR and/or CFR and unavailable in FRDL-UT!!!

Brady Eames <ibuncle@yahoo.com>

Mar 25, 2015 8:10 PM

Posted in group: FOIA Advisory Committee

Dear agents of the United States, With respect to *Section 515* of the Treasury and General Government Appropriations Act for Fiscal Year 2001 (*Pub. L. 106-554* of December 21, 2000; see *44 USC 3516-note*) and *Section 207(d)* and *(f)* of the "**E-Government Act of 2002**" (*Pub. L. 107-347* of **December 17, 2002**), it appears that the **OMB** has manifested blatant contempt for *44 USC 1510*, *1 CFR 5.9(b)* and *8.1(a)* and the Administrative Conference of the United States rule *305.76-2* (published, codified and preserved in the **1977-1993** editions of *1 CFR 305.76-2*) by refusing to publish, codify and preserve anywhere in the **CFR** the **substantial policies and procedures** with respect to the dissemination of information by the Executive Departments and Agencies stated over the course of more than **FOUR (4) YEARS** in its Government publications titled "**Guidelines for Ensuring and Maximizing the Quality, Objectivity, Utility, and Integrity of Information Disseminated by Federal Agencies**" (**Guidelines**) (see the **2001** version published as a "notice" in *66 FR 49718-49725*), the **revised January 3, 2002** version of the **Guidelines** published as a "notice" in *67 FR 369-378*, the **revised February 22, 2002** version of the **Guidelines** published as a "notice" in *67 FR 8452-8460*, the additions to the **Guidelines** of **June 10, 2002** published in an attachment to a "**Memorandum for the President's Management Council**" titled "**Agency Draft Information Quality Guidelines**", the additions to the **Guidelines** of **September 5, 2002** published in an attachment to a "**Memorandum for the President's Management Council**" titled "**Agency Final Information Quality Guidelines**", the additions to the **Guidelines** of **August 1, 2003** published in an attachment to a "**Memorandum to ALL Departments and Agency Heads**" titled "**Implementation Guidance for the E-Government Act of 2002**", the additions to the **Guidelines** of **December 17, 2004** published in an attachment to a "**Memorandum for the Heads of Executive Departments and Agencies**" titled "**Policies for Federal Agency Websites**" and the additions to the **Guidelines** of **December 16, 2005** published in an attachment to a "**Memorandum for the Heads of Executive Departments and Agencies**" titled "**Improving Public Access to and Dissemination of Government Information and Using the Federal Enterprise Architecture Data Reference Model**". Take note that during the Obama administrations, it appears that the **Guidelines** have **never** been revised or revoked. In non-accordance with *44 USC 1902* and *1911*, the **OMB** has **never** made the **Guidelines** or their **additions** available for my free use in the **Federal Regional Depository Library in Logan, UT**. Considering the **Guidelines** and their **additions** have resulted in the electronic transformation of the entire Executive Branch of the United States Government and the explosion of ".gov" websites on the internet, it's alarming to discover how the **OMB**, most likely under secret directions from the **ACFR** and the **DOFR**, which were most likely approved by certain former **Attorney Generals** and **Archivists**, has undermined and broken the **Federal Register** and **Freedom of Information Act** statutory and administrative laws which supposedly mandate the manners in which I shall find, inspect and copy those documents which would prove if, how and when the Executive Departments and agencies have actually executed such laws!!! Sincerely, Brady Eames