



DATA DRIVEN

A tenacious government watchdog, the Transactional Records Access Clearinghouse has held federal agencies accountable to the American people for more than a quarter century

BY CHRISTINE YACKEL



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—Susan B. Long,
co-founder and
co-director of TRAC

WHEN THE SURGE OF UNACCOMPANIED minors crossing the U.S.-Mexico border heated up last summer, *Dallas Morning News* reporter Dianne Solis was there to cover the escalating crisis. She questioned what was happening to the thousands of children streaming into Texas without a parent—and into immigration court without a lawyer. To find out, she turned to the Transactional Records Access Clearinghouse (TRAC) at Syracuse University, where she had access to more than 100,000 records obtained from the Executive Office for Immigration Review within the U.S. Department of Justice. With accurate and up-to-date immigration statistics in hand, Solis was able to report more fully on such issues as the higher deportation rates in Texas versus California, and the likelihood that a juvenile immigrant without legal representation will be deported. “TRAC was indispensable,” Solis says. “And, luckily for so many journalists, right on top of a complex story.”

TRAC is a not-for-profit, non-partisan data gathering, research, and distribution organization that keeps track of the federal government by the numbers. Founded in 1989 as a joint project between the Martin J. Whitman School

of Management and the S.I. Newhouse School of Public Communications, TRAC was using the 1966 Freedom of Information Act (FOIA) to obtain government records long before such news organizations as ProPublica and The National Institute for Computer-Assisted Reporting entered the arena of investigative journalism. “TRAC was the first information resource of its kind in the nation to combine federal computerized records with the FOIA mandate,” says Susan B. Long, co-founder and co-director of TRAC, and a professor of managerial statistics in the finance department of the Whitman School. “We’re pioneers in this, and it’s a real shock to a federal agency when we request their internal data.”

INFORMED PUBLIC

When TRAC was created in the ‘80s, computer technology was in its infancy. In the 25 years since, the power to electronically harness vast collections of data and shape them into practical, easily accessible knowledge bases has significantly increased TRAC’s role as a government watchdog. One of TRAC’s first published reports was on how well the Nuclear Regulatory Commission (NRC) was monitoring the

nuclear power industry. When the Internet came along, distributing information to a wide audience was suddenly much more cost-effective, so TRAC just kept expanding. Using its in-house, high-capacity servers and sophisticated computer analysis, TRAC has compiled and processed data on the effectiveness, efficiency, and fairness of such federal agencies as the Internal Revenue Service; Homeland Security; Federal Bureau of Investigation; Drug Enforcement Agency; Alcohol, Tobacco, and Firearms; and the Department of Justice (DOJ). "TRAC provides greater transparency on what our federal government is doing or not doing, and that's what democracy is based on—an informed public," says David Burnham, co-founder and co-director of TRAC.

As TRAC co-directors, Long and Burnham bring a unique blend of skills to the project. Long, a statistician who specializes in measurement and statistical evaluation methods, became interested in tax law in the 1970s when the IRS threatened to seize her soon-to-be husband's family construction business. "I have a thirst for knowledge, and I wanted to understand what the rules of the game were and analyze the statistics on how the system worked," Long says. "I spent a lot of time in the law library trying to figure out the statutes, and since we couldn't afford an attorney, I conducted the trial in tax court. It turned into a huge battle, but we finally won because it was a clear case of abuse of power. In fact, they sent us a refund check!"

Burnham was a *New York Times* investigative reporter from 1968 to 1986, first in New York covering the criminal process and then in Washington, D.C., where he

began focusing on federal regulation and whether such agencies as the NRC were achieving their stated goals. One of the first journalists to incorporate statistics into his reporting, Burnham specialized in using

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government performance data in his prize-winning articles and books, including *A Law Unto Itself: Power, Politics, and the IRS* (Random House, 1990). In the course of writing the book, he heard about a "force of nature" in Syracuse named Susan Long, who was well-known for being the first person ever to win a battle with the IRS by invoking FOIA. Forever the profes-

sor, Long gave Burnham a lengthy discourse on the IRS and supplied him with volumes of data for his book. "Neither Sue nor I can remember who conceived the idea of TRAC, but we agreed there ought to be an institution established to provide the American people with the authoritative and accurate information they need to hold their government accountable," says Burnham, who works out of TRAC's office in the nation's capital. "And that's how TRAC got started."

GOVERNMENT ACCOUNTABILITY

TRAC collects and publicizes government information that has never before seen the light of day. Two key factors make this possible—the fact that there is a FOIA, and that the federal government computerizes its records, eliminating the arduous task of going through stacks of paper. Even so, procuring data from the federal government is not a straightforward process. Long has to figure out the government data systems and software and how data are stored. And if she runs into a roadblock, she and Burnham file a lawsuit. "The civil division of the DOJ has a huge portfolio of activity, so it was only natural that we wanted to have access to their database

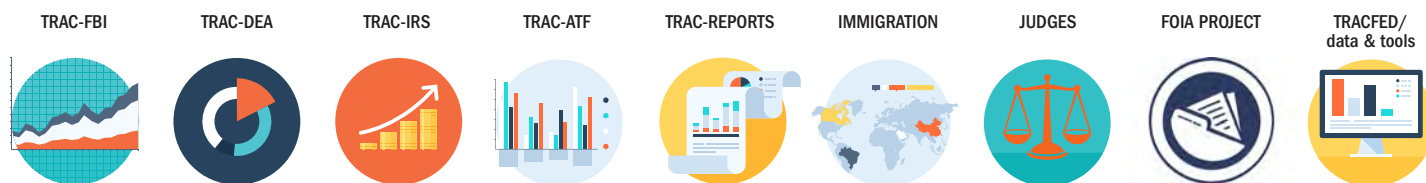
TRAC Transactional Records
Access Clearinghouse
FOUNDED 1989

PROCESSES MORE THAN
 **225**
MILLION
RECORDS
PER MONTH



SOME OF THE NEWS ORGANIZATIONS
THAT CITE TRAC

ASSOCIATED PRESS BLOOMBERG CHICAGO
TRIBUNE FOX NEWS DALLAS MORNING
NEWS DENVER POST FACTCHECK.ORG
HOUSTON CHRONICLE MOTHER JONES
NATIONAL PUBLIC RADIO POLITICO
REUTERS THE WALL STREET JOURNAL
THE ATLANTA JOURNAL CONSTITUTION
THE NEW YORK TIMES USA TODAY THE
BOSTON GLOBE THE TIMES-PICAYUNE THE
WASHINGTON POST USCHINAPRESS.COM



Through its use of the Freedom of Information Act, TRAC gathers data from numerous federal regulatory agencies, then analyzes and distributes the information, which pertains to such issues as staffing, spending, and enforcement activities.

system,” Long says. “After 10 years in litigation, a judge recently ordered the DOJ to release their records to us.”

Housed in Newhouse 2, TRAC has its own server and two full-time software engineers on staff to help process more than 225 million records from federal agency data dumps each month—and that’s not counting all of the projects still in the exploratory stage. Unfortunately, the data do not come with documentation. “It’s like a messy unfolding mystery,” says Long, who validates the data, checks it against other sources in terms of published counts, and looks for patterns to develop the government performance data indicators. Once the volumes of raw data are collected and verified, TRAC’s sophisticated computer system allows the user to jump between broad levels of information and microscopic detail, zoom in on a specific bit of information, then pull back to look at the big picture—all at lightning speed. Pie charts, scatter plots, bar charts, and histograms provide a quick visualization to help identify trends, track actions, and interpret federal policies.

On average, TRAC annually rolls out 50 reports, which are freely available on its public website (trac.syr.edu) for anyone with access to the Internet. For a minimal fee, TRAC’s extensive archives and up-to-date bulletins are accessible on the TRAC-Reports website (trac.syr.edu/tracreports/). Many faculty and students from major universities participate in the TRAC Fellows program (trac.syr.edu/fellows/), which is designed specifically for those who want to conduct in-depth research on specific subjects. And to ensure students understand the power of data and its role in government transparency, TRAC offers educational opportunities in data analysis, software development, systems administration, research, and instructional design.

For anyone who would like to dig deeper into TRAC’s vast stores of data sets, subscribers to the TRACFED Data Warehouse (tracfed.syr.edu) can access detailed information about federal enforcement activities, with specialized data mining tools that help them navigate

large quantities of statistics. With a click and a credit card, the computer goes out and locates the relevant data, analyzes it, and delivers it back in real time. “The data we get are as complicated as the fed’s regulatory structure,” says Greg Munno G’10, a Newhouse research professor and newest member of TRAC’s six-person team. “It’s utterly unique in the information marketplace to take such a high volume of complex records and compile them into useable reports.”

RELIABLE RESOURCE

Hundreds of individuals and organizations take advantage of TRAC’s services. Among them, Long says, are the Supreme Court library, Government Accountability Office, Department of Justice attorneys nationwide,

scores of universities and law schools, and a wide range of public interest groups, including the National Rifle Association and the American Civil Liberties Union. Businesses depend on TRAC to keep up-to-date on federal regulations. Syracuse Mayor Stephanie Miner ’92 used TRAC to find out if the city was getting its fair share of federal law enforcement dollars. Since one branch of government can’t get a look at another branch’s data, some federal agencies, such as Immigration and Customs Enforcement, subscribe to TRAC so they can compare

the effectiveness of what they are doing vis-à-vis other enforcement players in the field. “Over the years, TRAC has been cited in a wide range of news articles, books, legal briefs, scholarly journals, congressional hearings, and by liberal and conservative public interest groups,” Munno says. “A compilation of just some of TRAC citations for the last three years alone is 78 pages long.”

Burnham says TRAC is a particularly valuable resource for journalists who, in our post-9/11 world, must contend with heightened government secrecy and diminished access. And because newspapers are so pressured financially, many don’t have the time, resources, or inclination to sue federal regulatory agencies for infor-

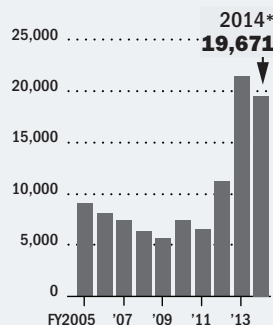
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Examining Illegal Immigration

TRAC Stats on Juvenile Cases, 2005-14

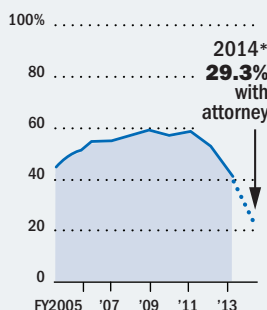
Number of juvenile cases filed in U.S. immigration courts



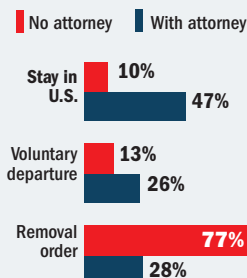
*Through June 2014 NOTE: Fiscal year ends Sept. 30

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Percent of juvenile cases with lawyers among all juvenile cases



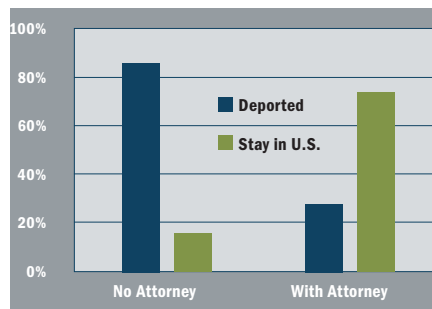
Outcomes of juvenile cases for fiscal 2005-2014*



>100,000
RECORDS FROM
EXECUTIVE
OFFICE FOR
IMMIGRATION REVIEW
U.S. Department of Justice

Decisions in Immigration Court Cases Involving Unaccompanied Juveniles

For the period from fiscal year (FY) 2012 to FY 2014, a time when there was a surge in unaccompanied minors entering the country from Central America, there were 8,761 immigration court cases in which unaccompanied juveniles received legal representation. About 73 percent of these children were allowed to remain in the United States. In contrast, among the 12,817 cases involving children without legal representation, only about 15 percent were allowed to stay in the country.

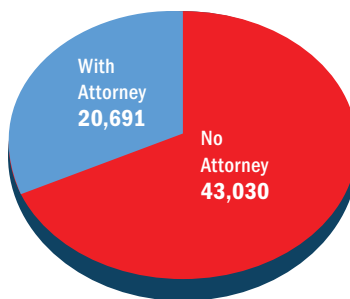


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Pending Cases in Immigration Court Involving Unaccompanied Juveniles

As of October 31, 2014, there were 63,721 cases pending in immigration court involving unaccompanied juveniles. Of those, only about 32 percent are represented by an attorney.



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mation under FOIA. That's why most of the major news outlets, including *The New York Times*, *The Washington Post*, *The Wall Street Journal*, and *The Associated Press* (AP), rely on TRAC for comprehensive data on government activities. Martha Mendoza, a Pulitzer Prize-winning national writer for the AP, counts on TRAC to help inform her reporting. "TRAC is a terrific resource for me as a journalist," Mendoza says. "I use it a lot, and urge colleagues to do the same. I've written about the lack of civil rights prosecutions, weak environmental protection, immigration bias, and more using TRAC data. David and Sue are righteous and conscientious, providing critical work for those of us seeking objective information about what our government is doing."

So what's next on tap for TRAC? A relatively new initiative called the FOIA Project (foiaproject.org/) pro-

vides information about government agencies that are stonewalling requests for internal data. By providing daily updates of every instance in which the government is sued under FOIA, TRAC is publicly exposing federal agencies and officials who disregard the law. "Many decisions are made in the dark," Burnham says. "We're posting all FOIA rulings on our website to show egregious examples of the government withholding information in violation of the law." And as soon as they can secure funding, Long and Burnham would like to focus their attention on Veterans Affairs administrative law judges, who, if anecdotal information is to be believed, are just as inconsistent as the judges in immigration courts. "David and I just keep finding new and exciting areas to explore," Long says. "More data, more capacity, more fun!" ◀