



At a Glance

Why We Did This Review

On June 23, 2015, we received a congressional request on whether involvement of non-career U.S. Environmental Protection Agency (EPA) officials (political appointees) occurred and resulted in undue delay of responses to Freedom of Information Act (FOIA) requests, or the withholding of any document or portion thereof that would have otherwise been released but for the non-career official's involvement in the process. The request also sought a written certification from the EPA's Chief FOIA Officer that (1) no non-career officials were involved in the agency's response to any FOIA request; or (2) if such involvement occurred, that it never resulted in an undue delay or the provision of less information than would have been provided but for the involvement of non-career officials. We were asked to provide a response to these issues within 60 days.

This report addresses the following EPA goal or cross-agency strategy:

- *Embracing EPA as a high-performing organization.*

Send all inquiries to our public affairs office at (202) 566-2391 or visit www.epa.gov/oig.

The full report is at:
www.epa.gov/oig/reports/2015/20150820-15-N-0261.pdf

Response to Congressional Request Concerning Political Interference in Release of Documents Under the Freedom of Information Act

What We Found

We did not find any indications of political interference or delay in the release of FOIA documents. According to the EPA, while there have been delays in responding to FOIA requests, those delays were generally due to the complexity or volume of information requested. We made our determinations based on our review of FOIA policies and procedures; and discussions with all FOIA Coordinators in EPA's program offices and FOIA Officers in EPA's regional offices, as well as with three political appointees.

We requested a written certification from the EPA's Chief FOIA Officer that: (1) no non-career officials were involved in the agency's response to any FOIA request; or (2) if such involvement occurred, that it never resulted in an undue delay or the provision of less information than would have otherwise been provided. The EPA's Chief FOIA Officer explained that she did not find the request to be feasible given that all employees, both career and non-career, have FOIA responsibilities.

Due to the timeframes associated with this request, this report was not conducted in accordance with generally accepted government auditing standards.

FOIAonline Deployed

To improve its FOIA management and processes, the EPA in October 2012 deployed FOIAonline as its new FOIA management system. FOIAonline automates core processing and administrative activities. All FOIA requests received at the EPA are managed throughout their lifecycle in FOIAonline. Records released by the EPA in response to a FOIA request are entered into FOIAonline for public viewing and searching unless the volume of paper records is very large and conversion to electronic format is not practical, or the response is subject to special handling requirements or policies.