



National FOIA Office
EPA Office of General Counsel

NATIONAL FOIA OFFICE

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FEEDBACK

Please direct feedback to:
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MEDIA

Any Media inquiries should be directed to:
press@epa.gov

NATIONAL FOIA OFFICE FACTSHEET

Issue date: July 25, 2019

UPDATED FOIA REGULATIONS

Overall

- EPA's updated [FOIA regulations](#) will be effective on July 26, 2019.
- This regulatory amendment does not replace or diminish Ryan Jackson's November 16, 2018 Memorandum on Awareness Notification.
- Certain revisions in this action update the EPA's rules to accurately reflect the Agency's organizational structure and implement statutorily directed changes.
 1. EPA is updating its FOIA regulations to conform with changes mandated by the amendments to the FOIA statute in 2007, 2009, and 2016.
 2. The 2016 Amendments provide that "each agency ... shall review the regulations of such agency and shall issue regulations in accordance with the [2016 Amendments]." 130 Stat. 544 § 3.
 3. The National FOIA Office recommended the changes to update EPA's regulations to comply with nondiscretionary changes in the statute over the past 10 years and to centralize the intake process in the NFO to increase our efficiency, effectiveness, and consistency in early outreach to requesters.

Centralization

- All FOIA requests submitted after July 26, 2019 will be directed to EPA Headquarters by US Mail or FOIAonline.
- Regional and program offices will still conduct search, collection, review, and record releases once the National FOIA Office has assigned a request to a region or program office.
- Centralizing FOIA intake was one of the key process improvement ideas that emerged from a Lean Management Kaizen event in early 2018.
- In 2018, the FOIA Federal Advisory Committee, convened by the National Archives, recommended that federal departments and agencies "centralize FOIA processing where appropriate." Centralized FOIA submission will allow EPA to ensure consistent and coordinated communication with the public, regions, and program offices.

One Month Glidepath

- To assist with the transition, EPA is voluntarily instructing Regions who receive improperly submitted mailed or emailed requests directly from requesters to continue accepting those requests until August 23, 2019. For requests improperly submitted after August 23, 2019, the Agency has also instructed Regions to inform requesters of the proper methods for submitting FOIA requests under the updated FOIA regulation.